Jackson Library -UNCG
PR4735.H25 Z6 c.1 NGUU
Chittick / Thomas Chandler Haliburton ("Sam S
3 0510 0531640S

The University of North Carolina at Greensboro

University of North Carolina at Greensboro, North Carolina 27412

Walter Clinton Jackson Library

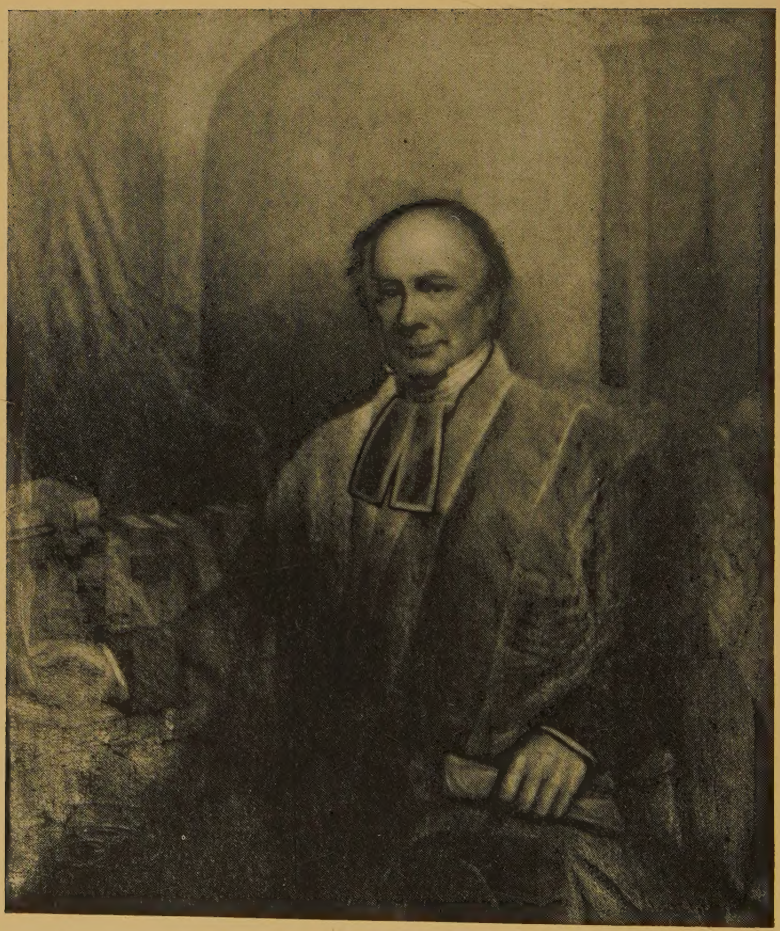
COLUMBIA UNIVERSITY STUDIES IN ENGLISH AND COMPARATIVE LITERATURE

THOMAS CHANDLER HALIBURTON

COLUMBIA UNIVERSITY PRESS
COLUMBIA UNIVERSITY
NEW YORK

SALES AGENTS
HUMPHREY MILFORD
AMEN CORNER, E.C.
LONDON

EDWARD EVANS & SONS, LTD.
30 NORTH SZECHUEN ROAD
SHANGHAI



THOMAS CHANDLER HALIBURTON
IN HIS OFFICIAL ROBES AS JUDGE OF THE
SUPREME COURT OF NOVA SCOTIA

From the original portrait, painted by Beatham, in the Legislative Council Chamber, Halifax, N. S.
Photographed by Gauvin and Gentzil.

THOMAS CHANDLER HALIBURTON

("SAM SLICK")

A Study in Provincial Toryism

BY

V. L. O. CHITTICK, PH.D.

Professor in the Division of Literature and Language
at Reed College

New York
COLUMBIA UNIVERSITY PRESS
1924

Copyright, 1924
By Columbia University Press

All rights reserved

Printed from type. Published November, 1924

PR
4735
H25Z6

THE PLIMPTON PRESS
NORWOOD · MASS · U · S · A

To
CARL VAN DOREN

321 58

PREFACE

Signs have not been wanting of late that the extended period during which Haliburton has been more talked about than read has come to at least a temporary close. Witness the publication within the current twelvemonth of two volumes of selections from his writings, and the increasing amount of attention recently being paid to *The Clockmaker* and its sequels in college courses in colonial literature. The present would seem, then, an opportune time for the appearance of a definitive account of his life and works. In the hope that it will be accepted as such, this study, originally written and approved some years ago in partial fulfillment of the doctoral requirements at Columbia University, is now offered to the public. If the conclusions which it reaches concerning the private character, the official services, or the literary merits of its subject, who for nearly a century has been generally regarded as worthy of high respect as one of the first, as well as one of the foremost, of Canada's men of letters, should prove in several ways disappointing to the patriotic pride of those of my fellow Canadians who may also become my readers, I can only state in defense of my findings that they are not other than what an impartial examination of all the evidence in the case has rendered inevitable. If the truth about Haliburton is not stranger than the fiction, it is decidedly more irresistible, and I have been constrained to pursue it even to an end that to some may look not a little bitter. This is far from being an anticipatory admission, however, that Haliburton as either the man or the writer is undeserving of a place of high honor in the annals of authorship in the British

colonies. It is simply a candid warning, posted in advance, that in neither of the aspects specified does he emerge from the pages that follow in any such likeness to a national idol for school-boy worship as that in which, with all too frequent iteration and all too monotonous consistency, he has hitherto been represented. And if for having aspired, as I confess I have, to correct an egregiously false and unnecessarily long-continued impression of one of the more interesting and more colorful personalities of Canada's pre-Confederation era I should be charged with a wanton and ill-advised, not to say a disloyal, iconoclasm, I shall have to seek both my vindication and my complacency in whatever inferred abetment of my efforts there still remains in a remark made to me by an eminent student of Canadian history and literature on an occasion when I was rather more apprehensive of where my investigation of the Haliburton legend was leading me than I am now that I have found out: "The day has since passed when Canadians need feel obliged to base their satisfaction in their country's literary achievement on anything but the facts." My endeavor has been merely to ascertain and to bring together all the facts available relevant to Haliburton and his contribution to colonial letters. Those who are disposed to reject the corollary must be prepared to challenge the authenticity of my data.

In my treatment of matters so controversial as those involved in a study of Haliburton and his times are bound to be I have deemed it only fair to allow the witnesses I have examined to speak for themselves whenever possible; that is, I have in numerous instances presented their testimony in their own words, and often *in extenso*, exactly as it stands in the record. This procedure has imposed upon my readers a work of undue length, I know, but no process of abridgment or of paraphrase promised

to secure the unprejudiced hearing for my thesis which its implications demand. The quotations from Haliburton I have desired to reproduce with the utmost fidelity to the originals, including even their author's, or his printers', inconsistencies and idiosyncrasies in respect to spelling and pointing. But preparing my copy for the press at a distance of a continent's width from my sources I have more than likely fallen short of so meticulous a standard of accuracy. In quoting from Haliburton's contemporaries I have presumed on infrequent occasions to alter slightly the form, though never the meaning, of the text utilized.

Obviously the task I have attempted has not been performed without the kindly help of others. Acknowledgment of much of the assistance I have received has been made as opportunity occurred throughout the course of my various chapters. I am under certain further obligations that call for particular mention here. To Carl Van Doren, of the editorial staff of *The Century Magazine*, and of the Department of English and Comparative Literature in Columbia University, I am indebted for his enthusiastic endorsement of my choice of a somewhat unconventional subject for an academic dissertation, and for the contagious interest with which he has followed and directed its development. To Professors W. P. Trent and G. P. Krapp, also of Columbia, my thanks are due for needed information, criticism, and advice. Professor Trent, moreover, has been dauntless enough to read through my proofs. My indulgent colleague at Reed College, Professor Barry Cerf, has rendered me the same arduous service. Between them they have caught, I trust, the worst of my " howlers ". Dr. A. W. H. Eaton, of Boston, and A. H. O'Brien, Esq., of Toronto, have placed at my disposal the indispensable results of their diligent questing in the fields, respectively, of Haliburton genealogy and of Haliburton bibliography. Without the freedom of the extensive Edwards collection

of Canadiana in the library of my *alma mater,* Acadia College, Wolfville, N. S., granted me by former President G. B. Cutten and the librarian, Mrs. Mary K. Ingraham, most of my plans for research would have been brought to an abrupt and fruitless termination. Judge J. A. Chisholm, G. E. E. Nichols, Esq., and Mrs. Harry Piers, of Halifax, N. S., and Mrs. Laura Haliburton Moore, of Wolfville, have allowed me to make transcriptions from their invaluable possessions of manuscript material. Miss Annie F. Donohoe of the Legislative Library, Halifax, has courteously inducted me into the mysteries of the cataloguing and shelving of the special treasures entrusted to her keeping. The editors of the Halifax *Acadian Recorder* have admitted me to the rare and unusual privilege of being suffered to consult the complete early files of their unique newspaper. And R. L. Reid, Esq., K. C., of Vancouver, B. C., has been most generous in giving me access to his excellent private library of Canadian literature.

More than to any or to all of these named I owe a debt of gratitude to Edna Whitman Chittick, my wife. Without her willing sacrifices in time, labor, and money, the writing of this book would never have been undertaken, much less carried to completion. At every stage of its progress, from beginning to end, she has been its soundest and most unrelenting critic. If the tardily finished product displays an appreciable competency of workmanship, something in excess of a wife's legal share of the credit belongs to her. For its shortcomings of whatever nature I alone am responsible. Doubtless they would have been fewer had I always submitted to uxorial suggestion as humbly as an indigent, and married, scholar probably should.

V. L. O. C.

July, 1924

CONTENTS

CHAPTER		PAGE
	PREFACE	vii
I.	ANCESTRY	1
II.	WINDSOR AND KING'S COLLEGE	17
III.	ANNAPOLIS ROYAL	41
IV.	The *General Description*	56
V.	IN THE HOUSE OF ASSEMBLY	72
VI.	*An Historical and Statistical Account of Nova Scotia*	119
VII.	JUDGE OF COMMON PLEAS	146
VIII.	PROVINCIAL POLITICS	161
IX.	*The Clockmaker*, First Series	179
X.	*The Clockmaker*, Second Series	213
XI.	*The Bubbles of Canada* and the *Reply to Durham*	236
XII.	*The Letter-Bag* and *The Clockmaker*, Third Series	287
XIII.	THE GEN-U-INE YANKEE	326
XIV.	"THE FATHER OF AMERICAN HUMOR"	358
XV.	HALIBURTON AND HOWE	385
XVI.	ON THE SUPREME COURT BENCH	414
XVII.	SAM SLICK ABROAD	436
XVIII.	*The Old Judge*	481
XIX.	*The English in America*	506
XX.	TALL TALES OF AMERICAN LIFE	533
XXI.	THE LAST OF THE CLOCKMAKING	544
XXII.	HOME TO ENGLAND	565
XXIII.	MEMBER OF PARLIAMENT	603
XXIV.	CONCLUSION	645

BIBLIOGRAPHY —

A.	Haliburton's Works	655
B.	Reviews of Individual Works	665
C.	Biographical Sketches and Critical Articles	667
D.	Other Works Consulted	672

INDEX 687

Thomas Chandler Haliburton

CHAPTER I

ANCESTRY

From the time of its permanent occupation by the British, Nova Scotia has been more truly New England than New Scotland. Long before the founding of Halifax, which may be accepted as Great Britain's first serious attempt at colonization in Nova Scotia, the New Englanders had begun to play their part as moulders of the destiny of the peninsular province, and with raid and siege had interrupted and finally overwhelmed the rule of its French settlers. The idea of an English fortified port upon the present site of Halifax was itself of New England origin,[1] having had its inception in the deeply felt need of the colonists of Massachusetts Bay and vicinity for an outlying naval base to the northward, of a strength sufficient to challenge and offset the menace of the French "Dunkirk of America" at Louisburg, an idea that was quickly forced into accomplishment following the return of Louisburg, previously captured by the New Englanders, to the control of France by the Treaty of Aix-la-Chapelle. Even at the settlement of Halifax, in 1749, New Englanders were present,[2] and within a year were numerous enough at the new provincial capital to call forth special

[1] T. B. Akins, *History of Halifax*, 4.

[2] A. W. H. Eaton, "Chapters in the History of Halifax," *Americana*, X, 276, 280, 281.

comment from one of the earliest memorialists of the city's beginnings.[3] Thereafter their participation in Nova Scotian affairs became increasingly common, culminating, when measured in terms of dramatic and immediate result, in the thorough-going, though clumsily executed and inglorious, expulsion of the Acadians, in 1755. Then occurred, in the early sixties, as the result of the complete downfall of French power in northeastern America, what was in all probability the most important of New England's contributions to Nova Scotia's development,[4] the coming of the New England planters, at the invitation of Governor Lawrence and his Council, to take possession of expropriated and vacant lands of the exiled Acadians. It was these New Englanders who, by their occupation of the French farms and townsites, first brought the country as a whole thoroughly under the domination of English colonial rule, and confirmed to its future inhabitants the enjoyment of those institutions and rights long recognized as the peculiar heritage of the British born, representative government and freedom of worship. From the time of this pre-Loyalist migration, despite the later addition of English, Scotch, Irish, German, and Acadian elements to its population, Nova Scotia has been the child of New England, and to this day the New England origin of a large portion of its people declares itself in their speech and manners, and in their very appearance, as well as in their religious and social customs, and their domestic and

[3] W. C. Murray, "History of St. Matthew's Church, Halifax, N. S.," *Transactions of the Nova Scotia Historical Society,* XVI, 148, quoting Akins, *History of Halifax,* in reference to Rev. William Tutty.

[4] A. W. H. Eaton, "Rhode Island Settlers . . . in Nova Scotia . . .," *Americana,* X, 2, 3; Rev. W. O. Raymond, "Pre-Loyalist Settlements of Nova Scotia," *Transactions, Royal Society of Canada,* 1911, Sec. II, 36, 37.

ecclesiastical architecture.[5] The final stage in what may be termed the New Englandization of Nova Scotia was reached with the inflow of Loyalist refugees from the revolting colonies, during and at the close of the American War of Independence. The New England element among the newcomers was, of course, largely qualified by people from other sections, particularly from New York. Nevertheless the Loyalist migration to Nova Scotia served to strengthen to a marked degree an influence which was already strong there, though, to be sure, the New England Loyalists differed from the pre-Loyalists in disclosing monarchical rather than republican sympathies. The net result of the successive arrivals of New Englanders in Nova Scotia was that the province speedily became what it still remains — a new New England. Altogether, then, it was perfectly natural that the person most generally called the father of American humor[6] should have been born at Windsor, Nova Scotia, rather than at, say, Windsor, Connecticut; and there is no occasion for wonder that the most popular delineator of the comic Yankee should have been himself a Bluenose.

Thomas Chandler Haliburton's great-grandfather was one Andrew Haliburton, an obscure wig-maker of Edinburgh, Scotland.[7] Beyond this Andrew Haliburton the

[5] Archibald MacMechan, *University Magazine,* XVI, 574; A. W. H. Eaton, *History of King's County, Nova Scotia,* 207; James F. W. Johnstone, *Notes on North America,* I, 32; George Head, *Forest Scenes and Incidents in the Wilds of North America,* 22–24.

[6] See below, 358 ff.

[7] For this and many of the subsequent facts relating to the Haliburton family I am indebted to the kindness of Dr. A. W. H. Eaton of Boston, Mass. For the results of his exhaustive and accurate researches into the genealogy of the Haliburtons see his *History of King's County, Nova Scotia,* 676–679, and *The New England Historical and Genealogical Register,* LXXI, 57–74.

family cannot with any certainty be traced.[8] Early in life Andrew Haliburton emigrated to Boston, Massachusetts, and there on February 23, 1719, married Naomi, or Amy, Figg, who was probably the widow of John Figg. On De-

[8] There is current, however, a persistent belief that the Haliburtons from whom Thomas Chandler Haliburton was descended were in turn descended from the Haliburtons of Newmains and Mertoun, a Scotch border family to which belonged Barbara Haliburton of Newmains, the maternal grandmother of Sir Walter Scott. (See H. J. Morgan, *Bibliotheca Canadensis*, 166; R. G. Haliburton, *Haliburton: A Centenary Chaplet*, 13, 14; *Encyclopedia Britannica*, 9th. ed., XI, 383, foot-note.; J. B. Atley, *Lord Haliburton*, 3; J. F. Freeman, *The Canadian Academy*, I, nos. 1, 2; etc., etc.) Positive evidence in support of such a connection is, nevertheless, strikingly lacking. William Haliburton, of Windsor, Nova Scotia, the grandfather of Thomas Chandler Haliburton, entertained this belief, and entered into correspondence with Walter Scott, "Writer to the Signet," the father of Sir Walter, with a view to investigating its validity, and also, doubtless, with a view to laying claim to certain Scottish property. The *Memorials of the Haliburtons*, drawn up by Walter Scott, "in answer to the inquiries of Mr. William Haliburton of Halifax [*sic*], Nova Scotia, who claimed a descent from the Haliburtons of Haddon" (head-note, p. 57), contains, however, not a word in confirmation of the wished-for relationship. Thomas Chandler Haliburton himself, so far as it is known, made no definite claim to the distinguished, or at least profitable, connection desired by his grandfather, though his fondness for allusion to his Scottish ancestors may have lent some color to the prevalent assurance concerning his descent. In *The Attaché*, first series, II, 267, he speaks, indeed, of having visited "the residence of my forefathers" in Scotland, but in the same volume he presents the ridiculous figure of Sam Slick's father in search of a title, a serio-comic sketch that may very well have owed its suggestion to the disappointed antiquarian researches of his grandfather. Yet the fact that he shared his grandfather's conviction respecting his rights to a Scottish inheritance is pretty well established by a comment in his handwriting pencilled in the margin of a family copy of Sir David Erskine's *Annals and Antiquities of Dryburgh* at the point where mention is made of the

cember 18, 1730, he married as his second wife, Abigail, daughter of Job and Mary (Little) Otis, of Scituate, a sister of Dr. Ephraim Otis, whose wife was a Rachel

---

uncertainty as to what had become of one John Haliburton, his son George, and their posterity, whose fate it was necessary to learn before he could hope to be seriously considered as a possible heir to the coveted property: "It *was known* and purposely and intentionally misstated. — T. C. Haliburton." (Manuscript account of the Haliburton family, by Miss Georgina Haliburton, now in the possession of Mrs. Laura Haliburton Moore, Wolfville, Nova Scotia.) The common acceptance of the Newmains and Mertoun descent of the Nova Scotian Haliburtons seems to have been given its chief currency, however, by Thomas Chandler Haliburton's second youngest son, R. G. Haliburton, with whom the desire for illustrious ancestry was an obsession. But R. G. Haliburton never made good his pretensions to the descent referred to, although at one time he had in his possession documents that might have finally settled the matter, as appears in a letter of his written to the Rev. G. W. Hill, and printed in the Appendix of the latter's *Memoir of Sir Brenton Halliburton:* "'The Memorials' were commenced (Sir Walter says) by his father, in reply to some inquiries made by Mr. W. Haliburton, of Halifax, N. S. (my great-grandfather) about the year 1793. I had in my possession all the original correspondence, relating to a claim to property made by Mr. W. Haliburton, as the nearest heir to his uncle . . . and I can remember that the title to the property claimed turned upon a dispute as to an Elizabeth Davidson, who had been in possession of property claimed by Mr. W. Haliburton, somewhere on 'the Borders.' Sir Walter sent a copy of the 'Memorials' to Mr. Alexander Haliburton, the father of my brother-in-law, Alexander F. Haliburton; and some old relatives of theirs pointed out that there was a mistake as to the account of Elizabeth Davidson. They were not aware that she had been a subject of controversy between old Walter Scott and my great-grandfather — and of a correspondence which led to the commencement of the 'Memorials'." The fact that the results of the correspondence here mentioned were never made public seems sufficient confirmation of the futility of any claim to a traceable Scottish ancestry for Thomas Chandler Haliburton reaching farther back than his great-grandfather, Andrew, the wig-maker of Edinburgh.

Hersey, of Hingham. It was through this second marriage of Andrew Haliburton, and through that of his son William to his first cousin, Susanna Otis, that the Nova Scotian Haliburtons became related to the well-known James Otis of Massachusetts.[9] Having acquired some property in Boston, Andrew Haliburton emigrated once more, this time to Jamaica, British West Indies. There he died, shortly after his arrival. His widow, who was now the mother of four children, returned to Boston, where she opened an inn or boarding-house, which before long was destroyed by fire. Undismayed, she went with her family, then consisting, it is said, "of her own four children, a daughter of her late husband by a former wife, and a daughter of that wife by a former husband,"[10] to Narragansett, Rhode Island, and there made a second attempt at inn-keeping. At Narragansett, in the parish of St. Paul, she became, on October 18, 1756, the second wife of Edward Ellis, M. D., to whose children of his first marriage she had already been something of a step-mother, since they had been for some years members of her household. Of this remarkable woman, who had now added another to the triple-family group for whose upbringing she was responsible, the few intimate glimpses we possess deserve to be recorded, for it was in all probability to her that her numerous descendants owe their endowment of Yankee shrewdness and self-reliance, which is their most pronounced characteristic. "She was," writes[11] Mrs. Harriet Prescott, widow of William P. Prescott, "as I have heard, a smart, sensible, capable woman, well calculated to have the care and training of young people at that day";

[9] R. G. Haliburton, *Haliburton: a Centenary Chaplet*, 14.

[10] Eaton, *Hist. King's Co.*, 676.

[11] In a letter quoted by Sarah E. Titcomb, *Early New England People*, 26.

and again,[12] "She made a good wife, and was generally considered to be a good mother to his [Edward Ellis's] children; that is, she was careful that they should learn all good housewifery, and be careful, industrious and exceeding neat. She held, as I have heard, a 'tight rein' over them, — showing no partiality to her own children, ..." Of Dr. Ellis, her second husband, we know only that he had served as Surgeon-General to the Massachusetts troops at the first capture of Louisburg, and after the return of the Rhode Islanders' committees of investigation, sent to Nova Scotia as the result of Governor Lawrence's offer of the Acadian farms, had become interested in lands there near Windsor. Thither the Ellises removed in 1760 or 1761,[13] taking part in the pre-Loyalist migration then in full flood from the eastern parts of Connecticut and Rhode Island, and settled in the township of Newport, between the Kennetcook and St. Croix rivers, where, by a grant issued in 1761, 58,000 acres were assigned to Edward Ellis "and others,"[14] of which Ellis's share was 500 acres.[15] Dr. Ellis received a further grant of 1000 acres in Horton in 1763.[16] He died while on a business trip to Amsterdam shortly before 1769.[17]

Among the "and others" associated with Edward Ellis in the Newport grant was his step-son, William Halyburton,[18] who had followed his mother to Nova Scotia shortly

[12] *Ibid.*, 36, 37.

[13] A daughter of Dr. Ellis had previously removed to Nova Scotia as the wife of a British officer. Titcomb, *Early N. E. People*, 27, 28.

[14] Records, Crown Lands Office, Halifax, N. S.

[15] Eaton, *Hist. King's Co.*, 676.

[16] Records, Crown Lands Office, Halifax, N. S.

[17] Eaton, *N. E. Hist. and Geneal. Reg.*, LXXI, 61.

[18] So the Crown Lands and other records consistently spell the name. It was this William Haliburton who corresponded with Walter Scott. See above, foot-note 8.

after his marriage to his first cousin, Susanna Otis. Of William Haliburton we have some interesting account, written by a relative, Miss Georgina Haliburton, in a manuscript now preserved in the library of the New England Historical and Genealogical Society in Boston.

"William," she states, "was a boy of fine intellectual promise, but showed no special inclination to any one pursuit. He was fond of adventure, and a pioneer's life would have suited him well. He began the study of medicine and surgery; but when he was nineteen an expedition was formed against the Indians, and throwing aside his studies he went as a volunteer surgeon with a company of young men and joined the expedition. After some months campaigning he returned unhurt, and his mother, feeling great anxiety lest his love of adventure should increase, strongly encouraged his early attachment to his cousin Susanna Otis. . . . At last the marriage took place, and the couple had a long and happy married life." [19]

The same manuscript records also a tradition concerning the coming of William Haliburton and his bride to their new home, and of the hardships to be endured before they had established themselves:

"Landing at Halifax, probably from Boston, the young husband on horseback and his wife on a pillion behind him made the long journey to Newport over the rough forest road, and for eighteen months after they reached Falmouth [*i.e., East* Falmouth, as Newport was originally called], with their two Negro servants from the household of Mrs. Haliburton's father, Ephraim Otis of Scituate, lived in tents. At last, however, they built a good two-story frame house, the foundations and posts of which were logs, the outside being clapboarded. They had brought with them 'eighteen months' provisions, tents, furniture, spinning wheels, a loom, and farm implements,' to serve them on their plantation; but after enduring the hardships and trials of farm life as long as they could, the couple gave farming up and moved into the village of Windsor, where Mr. Haliburton entered on the more congenial study of law." [20]

[19] As quoted, Eaton, *N. E. Hist. and Geneal. Reg.*, LXXI, 63.
[20] As retold, Eaton, *Hist. King's Co.*, 68, 69.

Picturesque as is this account of the "long journey" from Halifax to Newport, it must be regarded as highly improbable. The condition of the provincial roads made such a ride almost an impossibility. It seems far more likely that the Haliburtons, like many of their fellow emigrants from Rhode Island, came by vessel direct to Windsor,[21] or at least to some convenient landing place on the shores of Minas Basin.

The removal of William Haliburton from Newport to what is now Windsor took place probably in 1763, for on May 1 of that year "William Hallyburton, Gentleman, exchanges his farm lot on 'the River Kennetcook, Letter F, number 3, the 2nd Division, with the Marsh and Dyke with the same' for the 'Farm lot, on the River Pisiquid, Letter A, No. 3 in the second Division, exclusive of the Dyke, Marsh and Village Lot drawn with the same' belonging to Jonathan Babcock."[22] The village of Windsor, in or near which William Haliburton now made his home, became the birthplace of three successive generations of Haliburtons. It was already a settled district of respectable antiquity, having been early occupied by the Acadians,[23] who were quick to see its advantages, and to discover the fertility of the surrounding river lands. Very early, too, had the colonial officials at Halifax turned their envious eyes upon the locality, and before the arrival of the New Englanders had issued to themselves grants to the Frenchmen's lands. Following closely upon the final departure of the Acadians, the townsite, already including a military reservation and fortified post, was appropriated by those in convenient authority at Halifax.[24]

[21] Eaton, *N. E. Hist. and Geneal. Reg.*, LXXI, 64.

[22] Rev. H. Y. Hind, *The Old Parish Burying Ground*, 91, 92.

[23] By whom it was known as Piziquid.

[24] By the so-called "Councillors' Grant," 1759, and others. Eaton, "Rhode Island Settlers. . . in Nova Scotia. . .," *Americana*, X, 86,

It was the holding by a favored few of large areas of unoccupied land in Windsor that deterred for years the normal progress of its growth.[25] William Haliburton was one of the first of the newcomers to gain a foothold in the community by taking advantage of the breaking up of these estates through the natural processes of sale, exchange, and escheat. In 1771, and again in 1772, he himself obtained grants, but only of ¼ acre each, within the township limits, and much later, in 1814, held, in trusteeship with others, even the site of Fort Edward itself as a public market-place.[26] In Windsor he practised law and there became eventually a Justice of the Peace,[27] and Judge of Probate, the latter of which offices he held until his death, in 1817.[28] He appears to have been a man true to his New England origin, keen and enterprising in business and an adept at inventing mechanical contrivances. But he was meditative as well as practical, taking a decided interest in abstruse scientific speculations and writing frequently, it is said, in both prose and verse, though with what success not a line of either remains to tell.[29]

William Haliburton was followed in his profession by his third child, William Hersey Otis Haliburton, born at Windsor, September 3, 1767. W. H. O. Haliburton studied law in Halifax in the office of William Stearn, Esquire, and soon became known as a lawyer of very considerable ability. He was appointed Clerk of the Peace for his native county of Hants in 1786, was made one of the two

[25] Haliburton, *Historical and Statistical Account of Nova Scotia*, II, 101.

[26] Records, Crown Lands Office, Halifax, N. S.

[27] See signature as such, collection of Beckles Willson, Windsor, N. S.

[28] Eaton, *N. E. Hist. and Geneal. Reg.*, LXXI, 63.

[29] Georgina Haliburton, Manuscript.

pioneer King's Counsellors in Nova Scotia in 1817,[30] and became a judge of the Inferior Courts of Common Pleas in 1824. From 1806 to 1824 he served with distinction as representative, first of his township and later of his county, in the provincial House of Assembly. Of his career as a legislator it has been said that he "exhibited statesmanlike ideas, a power of subtle reasoning and much eloquence."[31] The records in the office of the Registry of Deeds in Windsor and the Crown Lands Office in Halifax reveal the fact that as a man of business he was aggressive and successful in the accumulation of property. His public utterances and the measures he supported in the House of Assembly show him to have been a strict constitutionalist and a stickler for the letter of the law. "He would, he declared, never consent to deviate from the constitutional forms of the House,"[32] and he held himself uncompromisingly to a similar rule of conduct in matters beyond the control of committees on parliamentary usage. He consistently differed from an increasing number of his colleagues throughout his twenty-four years in the House of Assembly in his attitude toward Nova Scotia's "Family Compact," the old Council of Twelve, in whose hands as the upper branch of the legislature there reposed a well-nigh tyrannical power. A staunch Tory, he made little or no concession to the party of reform, then beginning to challenge with some insistence the Council's abuse of privilege. W. H. O. Haliburton was, however, far from an unenlightened legislator. He opposed a Governor's unwarranted proposal to increase the salary of the Provincial Treasurer, objected to giving the Council more power in the matter of appointing road com-

[30] Israel Longworth, "Honorable Judge Robie," *Acadiensis,* I, 80.
[31] Beamish Murdoch, *History of Nova Scotia,* III, 439.
[32] Murdoch, *Hist. N. S.,* III, 433, 434.

missioners, condemned the excessive taxes laid on the coasting trade of the province, protested against forcing the militia to travel long distances to drill, and, though arguing the *legality* of restricting marriage licensing to the Anglican clergy, expressed a desire for a *law* relieving dissenters from what he admitted was an unfair restriction. If he opposed the local assessment plan for the support of schools, it was because he knew his province too well to have any confidence in the successful working of the measure, and not through any lack of interest in the matter of popular education. And it was only his Tory devotion to the rights of property, the Church, and the King, that led to his, by no means unjustifiable, resistance to legislation intended for the relief of debtors, or for the support of a Presbyterian Academy, or for the admission of a Catholic to the House without oath.[33]

Despite what he, no doubt, considered a conscientious adherence, if not to duty, then to rights, W. H. O. Haliburton left the House of Assembly as anything but a popular legislator. The session of 1824 was the scene of a bitter contest of words and ballots over a recommendation for improving the administration of justice in the Inferior Courts of Common Pleas, which as then constituted were composed of men other than professional lawyers, who served without pay. The proposal under discussion called for the division of the province into three districts, in each of which an attorney of at least ten years' standing was to be appointed at a salary of £450 annually to preside over all sessions of the Common Pleas therein. The measure passed by the narrow majority of one vote. Three of its most determined supporters, of whom W. H.

[33] For details of W. H. O. Haliburton's career in the Nova Scotian House of Assembly, see Murdoch, *Hist. of N. S.*, III, and the *Journal of the House of Assembly*, 1806–1824.

O. Haliburton was one, were immediately elevated to the newly created judgeships. Their opponents at once pointed to the fact that had the new judges not voted for the measure it would have failed, and the charge of selfish motives was made freely and openly. So unpopular was the result of this attempt to reform the courts that in the ensuing elections to fill the places in the Assembly left vacant by the new appointments not a lawyer was returned for any one of the three seats. The people of Nova Scotia never quite forgot their resentment against the reconstituted Inferior Courts of Common Pleas until their abolition by an act of the legislature in 1841. At Windsor the prevalent indignation vented itself in "great applause and a public dinner" given in honor of the member for the county of Lunenburg in the House of Assembly, Mr. Lot Church, "who had earnestly opposed the Judge bill." [34]

W. H. O. Haliburton married, in 1794, Miss Lucy Chandler Grant. Three years later his wife, then a young woman of twenty-three, died, leaving an only child, Thomas Chandler Haliburton, born December 17, 1796. In this boy was mingled the blood of both Loyalist and pre-Loyalist forefathers. His New England descent has been traced. His mother was the daughter of a Loyalist officer, Major Alexander Grant, a Scotchman who had served under Wolfe at the siege of Quebec, and who had met his death fighting gallantly with the New York Volunteers at the storming of Fort Montgomery. The wife of Major Grant was a Miss Kent, of the family of the famous Chancellor Kent of New York. In an hour of war-time need, presumably coincident with the beginning of her widowhood, she and her family, a son and three daughters, had been taken under the protection of Colonel Joshua Chandler, a prominent Loyalist lawyer of New Haven,

[34] Murdoch, *Hist. N. S.*, III, 517.

Connecticut, and a close friend of her husband. After the assault upon New Haven, in 1779, Colonel Chandler was forced to abandon his home there precipitately, and in 1783, with his own family and that of Mrs. Grant, sailed, probably from New York, for Annapolis Royal, Nova Scotia, where both families intended to settle. In March, 1787, they were summoned to attend the sitting of a commission on Loyalist claims at St. John, New Brunswick, and on board a schooner belonging to Colonel Chandler attempted to cross the Bay of Fundy. In a blinding snowstorm they were cast away on Partridge Island at the very entrance to St. John harbor. The rest of the story is told most graphically in the words of two inscriptions on a monument in the rural cemetery at St. John:

"Here lyeth the Bodies of Col. Joshua Chandler, aged 61 years and William Chandler His Son aged 29 years who were shipwrecked on their passage from Digby to St. John on the Night of the 9th of March, 1787, and perished in the woods on the 11th of said month."

"Here lyeth the Bodies of Mrs. Sarah Grant, aged 38 years, Widow of the late Major Alex'r Grant; and Miss Elizabeth Chandler, aged 27 years, who were shipwrecked on their passage from Digby to St. John on the 9th day of March, 1787, and Perished in the Woods on the 11th of said month."

The suffering that Lucy Grant and her sisters experienced in such an ordeal as is here disclosed is fairly typical of much that the Loyalists who fled to Nova Scotia had to endure. It is little wonder that there remained with her son to the end of his life some marked, though varying, degree of animosity towards the American people.[35]

[35] For details of the account of the Grant family here presented see Eaton, *N. E. Hist. and Geneal. Reg.*, LXXI, 66; Lorenzo Sabine, *The Loyalists of the American Revolution*, I, 308; W. A. Calnek–A. W. Savary, *History of the County of Annapolis*, 418,

Six years after the death of his first wife W. H. O. Haliburton married Susanna (Francklin) Davis, the widow of Benjamin Davis of Pennsylvania, and daughter of one of the wealthiest and most prominent early Nova Scotian officials. The Hon. Michael Francklin, Esquire, her father, was for years a member of His Majesty's Council, and from 1766 to 1776 served as Lieutenant-Governor of his province. At Windsor, Nova Scotia, he maintained one of his extensive estates, and there, from time to time, made his home.[36] Upon the daughter of this influential occupant of high provincial offices, in all probability, devolved the duty of bringing up her young step-son. From what we can learn of her she was well fitted for the task. "A dear good woman," is the name she bore among the people of her second husband, who recalled her as one charitable to a fault and beloved of her friends and neighbors.[37]

From his father, a reasoned theory of Tory principle and practice, adhered to through a life-long professional career; from his mother, or rather from the associations connected with her, an unreasoning but cruelly implanted Tory prejudice and passion, doubtless accentuated by the training given him by his aristocratically bred step-mother, — such was the political heritage Thomas Chandler Haliburton received from his ancestry. Whatever came to him with his mother's memory in the way of political bias ran true to the traditional type of Loyalist politics, for the Loyalists were a specially selected group of Tory sympa-

419; W. C. Milner, "Records of Chignecto," *Trans. N. S. Hist. Soc.*, XV, 77; R. G. Haliburton, *Past and Future of Nova Scotia*, 38.

[36] Eaton, "Chapters in the History of Halifax," *Americana*, XII, 68; "Rhode Island Settlers . . . in Nova Scotia. . . .," *Americana*, X, 91; J. S. MacDonald, "Lieutenant Governor Francklin," *Trans. N. S. Hist. Soc.*, XVI, 7 ff.

[37] Georgina Haliburton, Manuscript.

thizers. The bequest of party creed which he had from his father was something of an anomaly in a legacy left by the descendant of a thoroughly New England provincial family, since the pre-Loyalist New Englanders of Nova Scotia were generally of decided democratic tendencies. But there can be no doubt of W. H. O. Haliburton's complete acceptance of Tory principles, or of his undeviating adherence to them. They are proclaimed in his every act and utterance of which we have record. Toryism indeed came honestly enough into the possession of the young Haliburton. Were anything needed to intensify an innate disposition to accept his inheritance it was to be found in the social environment of his birthplace and boyhood home, and the peculiarly exclusive atmosphere of the schooling afforded him there.

CHAPTER II

WINDSOR AND KING'S COLLEGE

HALIBURTON and his father were born, so the former is reported as having delighted to say, in the same house, twenty miles apart. The common explanation given to this enigmatic statement is that the house in which the two first saw the light was originally a settler's cottage built, "like a Norwegian lodge, of solid timber covered with boards,"[1] on the family grant at Douglas, Hants County, and later floated down the St. Croix river to Windsor, an explanation which must be rejected, however, owing to the simple geographical fact that the St. Croix does not flow to Windsor from Douglas. The enigma frequently attributed to Haliburton consequently falls under suspicion as apocryphal. But another story[2] concerning the events it refers to, still current at Windsor, makes it possible to believe the jest really his. According to this local tradition the house of Haliburton's father had its original site at "Red Bank," on the Avon river, below the present village of Avondale, where the Haliburtons held land, and from there was floated to a new location near the water's edge at Windsor. There it served as the family home for some years until abandoned for a larger and more comfortable dwelling across the street, which later became the old Victoria Hotel standing on the ground occupied by the present public-house of that name. This story is

[1] R. G. Haliburton in *Haliburton: A Centenary Chaplet*, 15.

[2] Reported by H. P. Scott, Esq., Windsor, N. S.

entirely credible, as the transportation of a wooden building from one point on the banks of the Avon to another would not be a task of much difficulty if undertaken in conjunction with the extraordinarily high spring tides of that river. The original log-built structure is said to have remained where it was in Haliburton's boyhood until 1897, when it, with its successor opposite, was destroyed by the fire that temporarily laid low his native town.

The Windsor of Haliburton's youth was an inconsiderable community of not more than 1500 inhabitants, but, owing to its advantageous position at the junction of the St. Croix and Avon rivers, practically at the head of navigation on the latter, and to its location on one of the few highways leading from the country to the capital, it was already well on its way to becoming the prosperous county-town of more recent times. It lay clustering along the Avon between Fort Edward and Ferry Hill, or straggling loosely on either side of the roads to Halifax and Martock. Across the river, and to the north and south, stretched wide expanses of Acadian dyke-lands, long famous for their fertility. Immediately behind the town, and even within its limits, rose deeply pitted chalk hills interspersed and overlaid with carefully cultivated farms. And well beyond, encircling all, curved unevenly a chain of low lying, heavily wooded mountain slopes. Twice daily this varied scene was animated by the turbulent swirls of the incoming Fundy tides, and as regularly desolated by the mud flats left bare in their retirement. Of this tidal phenomenon, the most distinctive feature of the landscape, an English visitor to Windsor in the twenties [3] has written most agreeably:

"Those whose olfactory nerves have experienced during the recess (of tide) the charms of Southend, Lymington, or the banks

[3] Capt. W. Moorsam, 52nd Light Infantry, *Letters from Nova Scotia*, 216, 217.

of the Medway, will readily apprehend all the different stages of fever and ague to be the necessary consequence of a residence at Windsor. Such apprehensions are groundless; the mud of the Avon and St. Croix is the most genteel mud imaginable; it is, in fact, a solution of sand and clay, with a complexion surpassing that of the most vivid red-brick tenement inhabited by would-be-rural disciple of St. Dunstan's. . . . The mean rise of tide at Windsor is about thirty feet. . . . The consequence is, that rivers, appearing like arms of the sea at noon, are mere streamlets in the evening, and your horse will not wet his knees in crossing the brook where, a few hours previously, a frigate might have passed in safety."

The town itself the same visitor describes as "pretty,"[4] an opinion which is corroborated frequently enough[5] to make it certain that the place was early regarded as one of unusual comeliness. Another visitor of about the same time has written thus rhapsodically a description of Windsor that, in its way, conveys some idea of what the charms of the town must have been in the antecedent period of Haliburton's boyhood:

"Windsor is really a sweet place, and would elicit admiration from one travelling in search of the picturesque through the glorious lands of roses. . . . The houses are built with much elegance and taste, many of them are embowered in trees, and several gardens neatly laid out filled up the intervals between, giving the whole a sweet, rich, and rural effect. . . . Grass fields were succeeded by grain, the fences were overhung with rows of willows, the farm houses were beset with orchards, . . . This is as fine a view as I would wish to cast eyes upon, and I was so charmed by it that (seized with a fit of rhyming) I sat down on my return, and by heaven I poetized a song to celebrate its powers. . . ."[6]

[4] *Ibid.*, 220, 221.

[5] See R. M. Martin, *History of Nova Scotia* . . ., 37, 38; Lieut. E. T. Coke, *Subaltern's Furlough,* II, 113; *A General Description of Nova Scotia,* 72, 73; Haliburton, *An Historical and Statistical Account of Nova Scotia,* II, 103, etc., etc.

[6] "A Ride from Halifax to Windsor. From Captain Fotheringay to his friend Charles Escalon, Esquire." *The Novascotian,* Oct. 4, 1827.

Comeliness, however, was not the only virtue upon which Windsor prided itself. The nearness of the place to Halifax, combined with its natural attractiveness and its obvious agricultural and commercial possibilities, quickly made it what it long remained, the resort of persons of wealth and official connection. "Seventy-five years ago the town of Windsor boasted that it had, on the whole, the most aristocratic society outside of England,"[7] and earlier its society, less diluted by laboring and trading elements, though perhaps less self-conscious, must have been even more exclusively aristocratic. The town's reputation for carrying invidious social distinction to absurd lengths, and for displaying unwarranted affectation, is fairly set forth in the following amusing account of what is not denied to be the prevailing, though its writer protests it is an undeserved, opinion:

"You must know then that the Windsorians are said to be ineffably polite — monstrously uncivil — and would sooner see the face of the old Gentleman with the cloven foot, than that of a town acquaintance, unless he be 'a diamond of the first water.' . . . In short *discunt illi,* without the wealth of the city they have a mighty desire to ape its customs and manners, and . . . are said to overdo the thing quite. To ask a friend in a quiet way to take a mutton-chop is voted as quite unfashionable, and hence whenever you receive there a card with '*honour to dine, etc.*' place it down as an offering to your station, & prepare yourself with silk stockings, and a cambric rag sprinkled with 'l'eau de cologne.' Every young fellow is starched to buckram — every Miss' attitude is screwed into gentility; and a dinner of pork and peas is followed in the evening with a display of plate and crystal, decorated with whips, flowing with custard or loaded with blamange swelling in *alto relievo;* if (be it fairly understood) they have invited a few youngsters to tea, and asked an Honourable's son or daughter to a quadrille. I was told that they measure rank to a hair's breadth,

[7] Eaton, "Rhode Island Settlers . . . in Nova Scotia. . . ." *Americana,* X, 83.

and that a shop-keeper's daughter would toss her head over the tailor's niece . . ." [8]

But Windsor's society was not merely one of frivolous entertainments and pretended superiorities. Among its residents were included families of solid fortune and good breeding, besides a very considerable element of genuine tone and culture which had been attracted to, and had continued in, the town by the establishment there of the first British colonial university, King's College, founded in 1789 and confirmed by Royal Charter in 1802, and of its forerunner by one year, the affiliated Grammar School, now the Collegiate School. But even this desirable addition to what was best in local society only tended to emphasize the original class differences and exclusions. For King's was both Tory and Anglican. It had been the gift to Nova Scotia, partly of the Loyalists, partly of the earlier Church of England colonists. The New York exiles of the American Revolution had brought with them to the province a desire to perpetuate upon British soil the old King's College, now Columbia, and had found there, on the part of the local Anglicans, a felt need for an institution of higher learning to train their sons at home, and a plan, dating back to 1768,[9] for fulfilling that need. The mingled purposes of the two groups had resulted in the University of King's College at Windsor. It had been the hope of the most enlightened of its sponsors, Bishop Charles Inglis, formerly rector of Trinity Church, New York, that King's, as the only degree-granting institution in Nova Scotia, might serve as the university of the whole province, but his far-seeing plans were frustrated by the

[8] "A Ride from Halifax to Windsor," *The Novascotian,* Nov. 1, 1827.

[9] Akins, *A Brief Account . . . of King's College,* 5; Rev. Canon C. W. Vernon, *Bicentenary Sketches,* 121.

unyielding opposition of Chief Justice Blowers and the Judge of Vice-Admiralty, Sir Alexander Croke, bitter Tories, who would hear to nothing but a strictly orthodox Anglican college, after the model of Oxford, and insisted on a statute requiring all matriculants to sign the Thirty-nine Articles of the Church of England. It was a measure stupid beyond belief. It cut off King's College at the very beginning of its long record of usefulness from the support of the dissenting majority of Nova Scotians, and from all possibility of the larger service to the whole people then so badly needed, and committed Nova Scotia irrevocably to sectarian control of its higher education. But the King's of narrow sectarianism fitted well into the exclusiveness of Windsor. It brought with it, of course, besides an atmosphere of study and learning, limited to the favored few, the usual academic occasions for display and gaiety. "The College Encaenia, which always took place in June, was attended with great éclat. Thither came, in state, from Halifax the Governor and his staff, the Chief Justice, the Attorney General, the Bishop, and often distinguished army officers and their wives." [10] Even before the era of fully developed Encaenia brilliancies the examinations of the candidates for degrees and prizes were famous as proceedings of much dignity and distinguished attendance. Tom Moore, the Irish poet, was present in company with the Governor, Sir John Wentworth, at the first examination ever held at King's and wrote from Windsor "an ecstatic letter" giving an account of the affair.[11]

At the Grammar School [12] and later at King's College,

[10] Eaton, "Rhode Island Settlers . . . in Nova Scotia . . .," *Americana,* X, 85, foot-note.

[11] Archibald MacMechan, "Halifax in Books," *Acadiensis,* VI, 109. See also *Acadian Magazine,* May, 1826, 245.

[12] Which retained, "as late at least as 1845, that venerable heirloom, 'Lilly's Latin Grammar,' which had not a word of English

with the strictly applied religious tests and the political traditions of its old world prototype,[13] Haliburton received his formal education. His ensuing professional career and the careers of most of his contemporaries at college, in the service of Church and State, reveal how thoroughly the doctrines of his *alma mater* were taught during the period of his attendance there, and how closely King's was at that time connected with its constituency of officialdom. Out of a student body, which in all his four years as an undergraduate taken together never numbered more than twenty-five, seven became clergymen of the Anglican Church,[14] and counting twice those who held more than one office, one became a Chief Justice,[15] five became Supreme Court Judges,[16] one a Commissioner of Crown Lands,[17] three Solicitor Generals,[18] two Attorney Generals,[19] and one a Master of the Rolls.[20] Truly a course at King's was the highway to official preferment! Conspicuous among the cultural additions which the establishment of this Church of England college brought to Windsor's society was its faculty of two, to whom such an array of future achieve-

from cover to cover and which was a familiar ordeal to boys long before Shakespeare was born."—R. G. Haliburton in *Haliburton: A Centenary Chaplet*, 15.

[13] " . . . it [King's College] remained out and out Tory in politics, and continued unchanged even after Oxford itself had long felt the influence of modern ideas." *Ibid.*, 15.

[14] Hibbert Binney, J. C. Cochran, J. T. Twining, G. F. W. Morris, Edwin Gilpin, J. W. D. Gray, and R. F. Uniacke.

[15] Robert Parker in New Brunswick.

[16] T. C. Haliburton, L. M. Wilkins, W. B. Bliss in Nova Scotia, and Robert and Neville Parker in New Brunswick.

[17] S. P. Fairbanks, in Nova Scotia.

[18] John Lawson, in Prince Edward Island, William End and Robert Parker in New Brunswick.

[19] J. B. Uniacke and L. M. Wilkins in Nova Scotia.

[20] Neville Parker in New Brunswick.

ment [21] was indebted for its entire academic training and instruction. The President, who was also Professor of Divinity, Hebrew, and Mathematics, was the Rev. Dr. Charles Porter, an Englishman and an Oxford graduate, who spent thirty years at King's in heroic service to the cause of colonial education. Haliburton in an affectionate reference to him in *The Old Judge* said [22] that he educated "nearly all the clergy of this and the adjoining colony of New Brunswick, many of the judges, and most of the conspicuous lawyers of both provinces, besides many others, who are filling offices of importance, here and elsewhere, with credit to themselves and advantage to the public," and that he left Nova Scotia "carrying with him the respect and esteem of a people upon whom he had conferred the most incalculable benefit." The influence of Dr. Porter was ably supplemented by that of his colleague, the Vice-President of King's, the Rev. Dr. William Cochran, Professor of Grammar, Rhetoric and Logic, and lecturer on the Moral Sciences and Metaphysics, a native of Ireland who had taken his bachelor's degree at Trinity College, Dublin, and had taught at Columbia College, New York, before coming to Nova Scotia for ordination at the hands of a British Bishop in 1788. He held his appointment at King's from 1790 until 1831, during which time he "not only won for himself the esteem of the governors and officers of the College; but also the respect

[21] Another prominent student of King's, Sir John Inglis, famous as the defender of Lucknow, has often been named among the contemporaries of Haliburton at College. (See Morgan, *Bibliotheca Canadensis,* 166.) Inglis left King's in 1833, eighteen years after Haliburton. Other authorities give James (later Sir James) Cochrane, who became Chief Justice at Gibraltar, and S. R. Fairbanks, a Master of the Rolls in Nova Scotia, as at college with Haliburton. Both were pre-charter students at King's.

[22] I, 99, foot-note.

and love of the young men under his care, by whom he was regarded more in the light of a kind parent than a stern professor." [23]

Haliburton matriculated at King's in 1810.[24] In his previous attendance at the preparatory Grammar School,[25]

[23] Akins, *A Brief Account . . . of King's College,* 59, 60.

[24] *The Calendar of King's College,* 1871–72, 69.

[25] To which period of Haliburton's life there may be unhesitatingly assigned the youthful pleasures described in the following interesting and evidently autobiographical passage set down as among Sam Slick's school-boy recollections in *The Attaché,* second series, II, 112–114: ". . . don't the old schoolmaster rise up before you as nateral as if it was only yesterday? And the schoolroom, and the noisy, larkin' happy holidays, and you boys let out racin', yelpin', hollerin', and whoopin' like mad with pleasure, and the play-ground, and the games as base in the fields, or hurly on the long pond on the ice, or campin' out a-night at Chester lakes to fish — catchin' no trout, gettin' wet thro' and thro' with rain like a drown'd rat, — eat up body and bones by black flies and muschetoes, returnin' tired to death, and callin' it a party of pleasure; or riggin' out in pumps for dancin' schools, and the little first loves for the pretty little gals there, when the heart was romantic and looked away ahead into an avenue of years, and seed you and your little tiny partner at the head of it, driven in a tandem sleigh of your own, and a grand house to live in, and she your partner through life; or else you in the grove back o' the school away up in a beech tree, settin' straddle-legged on a limb with a jack-knife in your hand cuttin' into it the two first letters of her name — F. L., first love; never dreamin' the bark would grow over them in time on the tree, and the world, the flesh, and the devil rub them out of the heart in arter years also. Then comes robbin' orchards and fetchin' home nasty puckery apples to eat, as sour as Greek, that stealin' made sweet; or gettin' out o' windows at night, goin' down to old Ross's, orderin' a supper and pocketin' your — first whole bottle of wine — oh! that first whole bottle christened the man, and you woke up sober next mornin', and got the first taste o' the world, — sour in the mouth — sour in the stomach — sour in the temper, and sour all over; — yes, that's the world."

which was housed under the same roof as the college during part at least of his period as a schoolboy, he, no doubt, had become well acquainted with the devious ways of its then unfinished interior, a knowledge that possibly stood him in good stead during the games of hide-and-go-seek about the big chimneys which the students were not above playing with the president during the dark hours of the night.[26] The college building in Haliburton's day had not even the few graces that later gave it some measure of attractiveness.[27] Three long rows of uniform square windows and five plain doorways were regularly spaced across its otherwise unbroken front. The familiar portico and pillars were lacking. From the roof, which was perfectly flat, and a constant source of annoyance because of its leaking propensities, rose six large chimneys and a tall "pepper box"[28] cupola. The whole structure was indeed a good deal of a monstrosity and exhibited, as one who observed it remarked, "a strange architectural taste."[29] In fact it so much resembled a barracks that, as early visitors to Windsor amused themselves in telling, a young subaltern once marched his foot-weary command up to an entrance and demanded the orderly-room sergeant, only to be discomfited by the appearance of a dignified figure in cap and gown.[30] It stood, however, in the centre of what was, but for itself, an altogether pleasing countryside,

[26] Canon F. W. Vroom, "King's College a Retrospect," *King's College Record,* March, 1903, 69.

[27] The original structure, commenced in 1790, still stood and still did duty as the main college building until Feb. 5, 1920, when it was completely destroyed by fire, with a resultant loss to the cause of Anglican education in Nova Scotia, and to the provincial heritage of historic landmarks, that is truly incalculable.

[28] The phrase is Canon Vroom's, and apt. See article cited, 69.

[29] Lieut. E. T. Coke, *Subaltern's Furlough,* II, 112.

[30] Moorsam, *Letters from Nova Scotia,* 213.

a situation which Haliburton himself described[31] as "extremely pleasant, and the most eligible that could be selected . . . commanding in front a delightful view of the most improved and best cultivated parts of Nova Scotia," and in the rear, scenery "equally fine, the landscape being much embel[l]ished by the meanderings of the Avon and St. Croix." The interior of the college edifice must have been as inconvenient in its arrangement as its exterior was unprepossessing in appearance. Five "bays," virtually five entirely distinct wooden buildings, without the connecting corridor which in recent years extended along the rear, were covered by the one defective roof. In one of these non-intercommunicating compartments, the president maintained his private household. About the others were variously distributed quarters for the steward and his family, class-rooms, a library, a commons hall, that was utilized for various purposes besides that of a dining-room,[32] and accommodation by way of "sitters" and "bedders" for forty-three students, the sitting-rooms being warmed by large open fire-places, for which the students had to provide their own fuel.[33] As required by statute, Haliburton lived in college. Throughout his residence he occupied the suite that became, within the memory of Kingsmen now living, the long single room,[34] on the first floor, just to the right of the entrance to the then newly completed middle bay, sufficiently near the ground outside, if one might conjecture, to enable him by the exercise of a little agility to evade the penalty of being

[31] *An Historical and Statistical Account of Nova Scotia,* II, 107.

[32] See below, 31.

[33] *Minutes of the Governors of King's College,* Book I, Sept. 14, 1807.

[34] For many years used as the meeting-place of The Haliburton Club, a college literary society.

"gated." During at least part of his last year at King's Haliburton had for his room-mate Lewis Morris Wilkins, then and for long afterwards his fellow townsman in Windsor, and finally his successor on the Nova Scotian Supreme Court Bench.[35]

Despite the somewhat formidable list of colonial distinctions and official appointments which maturer years held in store for them, Haliburton's fellow Kingsmen were, we may be sure, as little concerned with their futures as high-spirited undergraduates of other times, and as little mindful of law and order. Like later students they did damage to doors and walls, and, also like later students, were assessed for it in equal proportions by the faculty.[36] Though it was required that "The dress of all the Members of the University shall be plain, decent, and cleanly without lace, or other expensive or coxcombical ornaments,"[37] a visitor to Windsor in the early days could report, as he might in these, that "but little attention appears to be paid in this respect to the rules of the college," and that he "saw some very unacademically dressed young men in green shooting jackets, standing at the hotel door smoking cigars and surveying each passenger as he stepped out of the coach."[38] But it must not be supposed that the rules were always held in disregard. Indeed Dr. Cochran was able to report in the temporary absence of Dr. Porter that ". . . everything has proceeded peaceably & well since the departure of the President the young

[35] See below, 568. Since the date of Wilkins' matriculation is given as 1815 in the King's College calendars, he must have had merely a sub-Freshman standing during the time he shared Haliburton's rooms at college.

[36] *Minutes of the Governors of King's College,* Book I, Sept. 14, 1813.

[37] *Statutes of King's College,* 26.

[38] Coke, *Subaltern's Furlough,* II, 113.

men have been respectful and regular in their behaviour and remarkably attentive without one exception to their studies;" whereupon the Governors resolved that the Vice-President should communicate to the students the very great pleasure "that their attention to their studies, and good behaviour have afforded."[39] Another rule less likely honored in the breach than the regulation respecting student dress declared that, "No member of the University shall frequent the Romish mass, or the meeting houses of Presbyterians, Baptists, or Methodists, or the Conventicles, or places of Worship of any other dissenters from the Church of England, or where Divine Service shall not be performed according to the Liturgy of the Church of England, or shall be present at any seditious or rebellious meetings."[40] Something of the same austere paternalism that characterised the restrictions formerly placed about religious worship at King's characterized also other features of life there, which was subject to strict regulation in even the minutest details. "The students," we read in the minutes book of the Governors,[41] "shall provide their own tea and sugar for breakfast and the steward is to provide them with Bread and Butter and Milk in their own rooms. The steward is also to provide the students in the College with dinner every day at 3 o'clock. The Steward is also to provide the students with supper in the College Hall which is to consist of Bread and Milk, or Bread & Cheese and spruce beer; . . . The Steward is to provide sufficient fuel and candles for the College Hall he shall not be bound to keep a fire latter [*sic*] than 9 o'clock," at which hour, or at 8:30 from October

[39] *Minutes of the Governors of King's College,* Book I, Dec. 17, 1814.

[40] *Statutes,* 29.

[41] Entry of Sept. 14, 1807.

to April, the bell rang for roll-call. Immediately after dismissal the students were required to go to their rooms and to bed, "having first extinguished their candles, and secured their fires."[42] Failure to obey this rule must have met with prompt discovery since the President was directed to make a round of inspection "a half hour later to see that all was well."[42] Another indication of old-fashioned rigor of control, mingled in this case with evidence that the college man's present-day easy acceptance of superiority was not unknown in former times, is revealed in the decree that, "The President will regulate what allowance shall be made by the students to the steward for making their fires cleaning their shoes carrying water &c.&c."[43]

Further details of King's College life are afforded by the same pleasant source which has already given us two intimate glimpses into Windsor's early manners and customs.[44] Though the picture here presented is actually of a date later than Haliburton's day at King's, changes came so slowly there that the conditions it discloses can hardly have been different from those but slightly anterior:

"You and I, mon ami, who have dipped into the waters of the Isis know what it is to be a Cantab, but by Jupiter, & every other of the Dei majores who sat upon Olympus, our rooms were nothing to those of the Oxford of Windsor. On entering the great hall and advancing up stairs, the most curious daubs met the eye, & would have set as wise a lad as Moses Primrose a gaping. The walls were literally covered with hieroglyphics — figures executed after the rudest fashion — scraps of rhyme fit for love or war —

[42] Vroom, "King's College: A Retrospect." *King's College Record,* Feb. 1903, 50.

[43] *Minutes of the Governors of King's College,* Book 1, Sept. 14, 1807.

[44] "A Ride from Halifax to Windsor," *The Novascotian,* Oct. 4, 1827.

or morceaux of humour — after a fashion! The stairs were sadly dilapidated; the lads' chambers showed both a want of plastering and paint, and to crown all they swear that they are sometimes driven from their studies by the rain dripping on their heads. Demosthenes' cave was a palace to it. Pope was right after all — in these elaborate letters of his he tells you that the pursuit of learning is suffering in the flesh. When introduced into the great hall, I was somewhat surprised when informed that it served at once for a dining room, lecture hall and chapel.[46] The Professors read here both prayers and plays — sermons and satires — The Bible and Horace; and the lads after having a hash of theology sit down very leisurely to discuss a round of beef — all of which appeared to me thrice wonderful indeed! The library is extensive, and contains the standard works of English literature. Gray the poet who thought that paradise consisted in 'reclining on a sofa, and reading novels,' could catch here no glimpse of heaven; but the student who wishes to improve himself, and to store his mind from the golden heaps of history & science, would find ample supplies to gratify his taste. But will you believe it — the rules are so exclusive — that no student can procure free admittance to the library, and the use of the countless volumes, till he has taken his degree.[46] For three years after matriculation no lad can touch a volume unless he apply personally to the President — and although they all say that the Rev. Gentleman is more than kind when waited upon, yet they do not like to draw upon his kindness by applying too often. There is also a very fine assortment of philosophical apparatus, — but it is at present, something like the gold bags of Molière's miser (an old simile this to be sure) 'shining and useless.' . . .[47]

The courses here are copied in some degree from those of Oxford

[45] And in Haliburton's day as Convocation Hall as well.

[46] Actually true in Haliburton's time at King's. See Vroom, "King's College: A Retrospect," *King's College Record,* March, 1903, 69.

[47] An editorial foot-note appended at this point in the article here quoted indignantly denies the lack of scientific instruction at King's and probably is right about the matter since the Governor's minutes contain this entry for Sept. 11, 1815: "Resolved that, a small philosophical apparatus is necessary for the present use of the students . . ." — just too late to be of any benefit to Haliburton!

and Cambridge. The attention of the students is chiefly directed to the acquisition of a perfect and intimate acquaintance with the classics, and of course with classical learning — they eat logic from some old worthy, who wrote a hundred years ago, take morals from Cicero, and are well drilled in Euclid.[48]. "These studies are not

[48] The sort of training King's provided is exemplified by this list of books, "read under the two learned doctors" of the faculty in Haliburton's fourth year at college:

"Curriculum or Course of study at King's College, Windsor, in 1814.

First Class

Works Read Under the President	Books Read Under Dr. Cochran
Greek Testament, Grotius, Holy Bible, Euclid, Algebra, Xenophon, Cicero's Orations et de Amicitia et Senectute, Horace, Virgil's Georgics, Sophocles.	Sophocles, Longinus, Horace's Art of Poetry, Virgil's Georgics, Logic, Cicero de Officiis, Cicero de Oratore, Burlemaque on Natural Law.

Second Class

Greek Testament, Grotius, Homer, Horace, Xenophon's Memorabilia, Demosthenes, Cicero's Orations and de Amicitia, etc.	Logic, Cicero de Oratore, Cicero de Officiis, Xenophon's Cyr., Juvenal.

Third Class

Euclid, Wood's Algebra.	Logic, Cicero de Oratore and de Officiis.

Fourth Class

Sophocles.	Homer, Horace, Logic, Cicero de Oratore.

Quintilian added by order of the governors, to be read by Dr. Cochran in future as an introductory book to rhetoric." (Akins, *A Brief Account . . . of King's College,* 73.)

When one considers this list in connection with the fact that the lectures of Dr. Cochran, for a time at least, were delivered in Latin, one can only express surprise that the soundness of Hali-

such as I should approve of for my children, and I should say that like the manners of a stiff old buckram country squire, they are behind the age — but let me do justice to this seat of learning — it furnishes admirable scholars, and makes superb gentlemen. D——n me, they do pick up the air of the ton — they twirl a ratan with as graceful an air as a Bond-street lounger, take snuff so as to display a cornelian, tie a neckcloth which would charm even Mr. C—— of Hyde Park Alley himself, and come into the room with a Oh-I-know-who-I-am sort of air that would electrify any Miss in her teens. . . ."

Haliburton graduated from King's in 1815.[49] The reputation which, according to authorities of a much later date, he is said to have borne at college for excellence in scholarship finds no confirmation in any contemporary report. The usually accepted account of his academic successes represents him as having secured "various prizes, and different marks of esteem from his professors," and of having graduated with distinguished honors, and concludes: "At an early period of his studies he evinced a taste for the pursuit of literature. In a closely contested trial for the prize for an English essay, 'On the Advantages derived from a knowledge of the Classics' — in which competition many were engaged — Mr. H. came off victorious. Besides this prize, he obtained other honours for his skill in composition."[50] No official record of these prizes remains. It is true that a prize for composition in English on the subject "The Utility of Classical Learning," was

---

burton's Latinity could ever have been called in question (as it was in *The Literary Gazette,* XXXVII, 344). There is less reason for wonder that he made his Sam Slick slightly contemptuous of instruction in the dead languages!

[49] Morgan, *Bibliotheca Canadensis,* 166, is in error in giving the date 1824. See King's College calendars.

[50] Morgan, *Bibliotheca Canadensis,* 166. See also Duncan Campbell, *Nova Scotia in its Historical Mercantile and Industrial Relations,* 334.

offered by the Governors of King's during Haliburton's residence, but apparently for competition at the Grammar School, although, since the entry in the minutes book is confused, it may have been meant for the college. The winner is not named. As it seems to have been a custom to repeat essay competitions on the same subject from time to time at the Grammar School, it may be that Haliburton wrote a successful essay on the subject named, when a student there. If so, he was too young to warrant any special significance being attached to it as an indication of either his inclinations or ability. Haliburton did, however, carry off a prize for proficiency in Greek.[51] What the other marks of esteem he received from his professors were we are at a loss to know. It is certain that he received none at all from the Governors. Their record as to scholarship awards is clear beyond possibility of mistake. Haliburton competed on two occasions for vacant appointments, and on each occasion failed.[52] If he ever graduated with honors, no positive evidence of the fact now exists. There is every probability, then, that Haliburton as a student followed the well-established tradition of genius at school by failing to distinguish himself for over-brilliance in scholarship. The reputation which he is said to have borne as a college wit, however, and which he carried with him into later years,[53] one may be confident from his subsequent career, was altogether merited. We know, too, that he carried away from his *alma mater* sufficient of the love of learning to be eager to pursue his college studies beyond graduation, since on

[51] A four-volume edition of Homer, illustrated by Flaxman. Georgina Haliburton, Manuscript.

[52] *Minutes of the Governors of King's College,* Book I, Sept. 9, 1811, and Sept. 10, 1812.

[53] See F. B. Crofton in *Haliburton: a Centenary Chaplet,* 89.

September 24, 1816, the Governors' minutes [54] record that, "The Secretary read a Petition from Mr. Thomas Haliburton A.B. praying that he might be permitted to keep his terms for his Master's degree without residing in College," a laudable ambition which the Governors unceremoniously thwarted by resolving, "That the Secretary do inform Mr. Haliburton that the prayer of his petition cannot be granted as he has assigned no reason why that indulgence should be extended to him." [55]

Although from Haliburton himself there have come down to us no intimate personal recollections of his term-time activities at King's, there has been several times reprinted [56] one of his letters, written at a date near the close of his life and giving an account of a memorable experience, recalled from the summer vacation of his third college year. Its interest lies not merely in its connection with a spectacular though unimportant event of the War of 1812, but in the light it throws upon the inquisitive enterprise and venturesomeness of Haliburton the youth.

GORDON HOUSE, Isleworth, June 1st, 1864.

My dear Sir George, [Broke-Middleton] [57]

I have received your note requesting me to state my reminiscences of the arrival at Halifax (Nova Scotia) of H. M. S. the

[54] Book II.

[55] A peremptory refusal tardily made up to Haliburton in 1851 when King's College awarded him the honorary degree of M.A.

[56] See J. G. Brighton's *Admiral Sir P. V. B. Broke, a Memoir,* 225–233; the same author's *Admiral of the Fleet, Sir Provo W. P. Wallis,* 103 ff; Murdock's *Hist. of N. S.,* III, 354 (in part copied from a review of Brighton's *Broke* in the *Pall Mall Gazette*); and the Halifax *Acadian Recorder,* Centennial Number, Jan. 16, 1913.

[57] At the time this letter was written sole surviving son of Sir P. V. B. Broke, commander of the *Shannon* when she fought her famous duel with the *Chesapeake* off Boston Harbor.

Shannon with her prize the *Chesapeake*. I have much pleasure in complying with your wishes; but more than fifty years having elapsed since that event, I can now only recall to my mind some few of the leading incidents that at that time impressed themselves strongly on my youthful imagination.

The action was fought on the 1st of June, 1813, and on the Sunday following the ships reached the harbour of Halifax. I was attending divine service in St. Paul's church at that time, when a person was seen to enter hurriedly, whisper something to a friend in the garrison pew, and as hastily withdraw. The effect was electrical, for, whatever the news was it flew from pew to pew, and one by one the congregation left the church. My own impression was that there was a fire in the immediate vicinity of St. Paul's; and the movement soon became so general that I, too, left the building to inquire into the cause of the commotion. I was informed by a person in the crowd that "an English man-of-war was coming up the harbour with an American frigate as her prize." By that time the ships were in full view, near George's Island, and slowly moving through the water. Every housetop and every wharf was crowded with groups of excited people, and, as the ships successively passed, they were greeted with vociferous cheers. Halifax was never in such a state of excitement before or since. It had witnessed in former days, the departure of General Wolfe for the attack on Louisburg, with a fleet of 140 sail, and also his triumphant return. In later years the people had assisted in fitting out the expedition, under Sir George Provost, for the capture of Martinique and Guadaloupe, but nothing ever excited the Haligonians like the arrival of these frigates. . . .

It soon became known in Halifax that the ships now approaching were the *Shannon* and the *Chesapeake,* and that the former was in charge of Lieutenant Provo Wallis, a native of Halifax, who was in temporary command in consequence of the severe and dangerous wounds of her gallant captain. This circumstance naturally added to the enthusiasm of the citizens, for they felt that through him they had some share in the honour of the achievement. No one could have supposed that these ships had been so recently engaged in mortal combat, for, as they slowly passed up to the dockyard, they appeared as if they had just returned from a cruise — their rigging being all standing and wholly uninjured. . . .

As soon as possible after the vessels had anchored near the

dockyard there, a young friend and myself procured a boat and pushed off, to endeavour to obtain permission to visit them. We were refused admission to the *Shannon,* in consequence of Captain Broke requiring quiet and repose on account of his severe wounds; but we were more fortunate in obtaining access to the *Chesapeake.* Externally she looked, as I have already said, as if just returned from a cruise; but internally the scene was one never to be forgotten by a landsman. The deck had not been cleared (for reasons of necessity that were obvious enough) and the coils and folds of rope were steeped in gore as if in a slaughter-house. She was a fir-built ship, and her splinters had wounded nearly as many men as the *Shannon's* shot. Pieces of skin with dependent hair, were adhering to the sides of the ship; and in one place I noticed portions of fingers protruding, as if thrust through the outer wall of the frigate; while several of the sailors, to whom liquor had evidently been handed through the portholes by visitors in boats, were lying asleep on the bloody floor as if they had fallen in action and had expired where they lay. Altogether, it was a scene of devastation as difficult to forget as to describe. It was one of the most painful reminiscences of my youth, for I was but seventeen years of age, and it made upon me a mournful impression that, even now, after a lapse of half a century, remains as vivid as ever. . . .

I observed on the quarter-deck the figure of a large man wrapped up in the American flag. I was told it was the corpse of the gallant Captain Lawrence, who fell in the discharge of his duty, and whose last words are reported to have been, 'Don't give up the ship.' He was buried at Halifax, with all respect due to his bravery and his misfortune.

With the subsequent history of the *Chesapeake* you are better acquainted than myself. She remained a long time in the harbour of Halifax, and finally proceeded to England, where she was broken up. . . .

The name of Broke will ever be regarded with pride and pleasure by that service of which he was so distinguished a member; and it must be a great gratification to his family and friends to know that feeling is fully participated in by a grateful country.

I am, my dear Sir George,

Yours always

Th. C. Haliburton.

What occasioned the youthful Haliburton's presence in Halifax at the time of the dramatic happenings narrated in this letter was, in all probability, the necessity of his being there to await the departure of H. M. S. *Buffalo,* aboard which he was then about to take passage for England. Almost immediately after the commencement of this, the first of his many voyages across the Atlantic, there occurred an incident *en route* concerning which Haliburton afterwards related one of those stories possibly too good to be true, but always good enough to repeat. Whether based on any substantial amount of fact or not, however, it demonstrates that the eager I-want-to-know inclination which had impelled him to examine the grewsome sights on the deck of the *Chesapeake* with such keen-eyed observation as a boy, and which was to be his most distinguishing trait throughout his entire career as a man, was not the only Yankee characteristic to which he might properly lay claim as the lineal descendent of his New England forebears:

In the year one thousand eight hundred and fourteen, I embarked at Halifax on board the Buffalo store-ship for England. She was a noble teak-built ship of twelve or thirteen hundred tons burden, had excellent accommodation, and carried over to merry Old England a very merry party of passengers, *quorum parva pars fui,* a youngster just emerged from college.

On the banks of Newfoundland we were becalmed, and the passengers amused themselves by throwing overboard a bottle, and shooting at it with ball. The guns used for this occasion, were the King's muskets, taken from the arms-chest on the quarter-deck. The shooting was execrable. It was hard to say which were worse marksmen, the officers of the ship, or the passengers. Not a bottle was hit: many reasons were offered for this failure, but the two principal ones were, that the muskets were bad, and that it required great skill to overcome the difficulty occasioned by both the vessel and the bottle being in motion at the same time, and that motion dissimilar.

I lost my patience. I had never practised shooting with ball;

I had frightened a few snipe, and wounded a few partridges, but that was the extent of my experience. I knew, however, that I could not by any possibility shoot worse than everybody else had done, and might by accident shoot better.

"Give me a gun, Captain," said I, "and I will show you how to uncork that bottle."

I took the musket, but its weight was beyond my strength of arm. I was afraid that I could not hold it out steadily, even for a moment, it was so very heavy — I threw it up with a desperate effort and fired. The neck of the bottle flew up in the air a full yard, and then disappeared. I was amazed myself at my success. Everybody was surprised, but as everybody attributed it to long practice, they were not so much astonished as I was, who knew it was wholly owing to chance. It was a lucky hit, and I made the most of it; success made me arrogant, and boy-like, I became a boaster.

"Ah," said I coolly, "you must be born with a rifle in your hand, Captain, to shoot well. Everybody shoots well in America. I do not call myself a good shot. I have not had the requisite experience; but there are those who can take out the eye of a squirrel at a hundred yards."

"Can you see the eye of a squirrel at that distance?" said the Captain, with a knowing wink of his own little ferret eye.

That question, which raised a general laugh at my expense, was a puzzler. The absurdity of the story, which I had heard a thousand times, never struck me more forcibly. But I was not to be put down so easily.

"See it!" said I, "why not? Try it and you will find your sight improve with your shooting. Now, I can't boast of being a good marksman myself; my studies" (and here I looked big, for I doubted if he could even read, much less construe a chapter in the Greek Testament) "did not leave me much time. A squirrel is too small an object for all but an experienced man, but a *large* mark like a quart bottle can easily be hit at a hundred yards — that is nothing."

I will take you a bet," said he, "of a doubloon, you do not do it again."

"Thank you," I replied with great indifference; "I never bet, and besides, that gun has so injured my shoulder, that I could not, if I would." [58]

[58] *The Attaché,* first series, I, 3–7.

And so by the exercise of his rightfully inherited gift of prudence Haliburton was enabled to retain for the rest of the voyage the reputation he had come by largely as the result of his similarly acquired gift of effrontery. With these two opposing qualities, as surprisingly commingled as here, and in about the same proportions, he went through life.

CHAPTER III

ANNAPOLIS ROYAL

The rebuff which Haliburton received at the hands of the Governors of King's College in the matter of his request to be permitted to qualify for a master's degree out of residence probably had no other effect than to hurry him the sooner into the study of his future profession. His initial period of law training, received in his father's office at Windsor,[1] was interrupted, however, shortly after it began, by another voyage across the Atlantic. It may have been with some idea of continuing his law studies in the old country, following the example of his college friend, later his colleague on the Nova Scotian Supreme Court Bench, Judge William Blowers Bliss,[2] that Haliburton made his second journey to England; but if so, he was soon involved there in affairs that must have pretty effectually precluded study of whatever sort. By the summer of 1816 he had met, wooed, and won for himself a wife, and, while still a minor, had returned with her to Windsor. The account of Haliburton's marriage as given by his son[3] points to the event as an incident singularly romantic. His bride, Miss Louisa Neville, was the orphaned daughter of Captain Lawrence Neville of the Second Life Guards and Nineteenth Light Dragoons. On the death of her father she had been taken into the home of a certain Captain Piercy, an entire stranger to her, to whom her father had written from his

[1] Georgina Haliburton, Manuscript.
[2] *Trans. N. S. Hist. Soc.*, XVII, 24.
[3] R. G. Haliburton, in *Haliburton: A Centenary Chaplet*, 18, 19.

death-bed, under the impression that he was writing to an old friend of the same name, asking that he accept his daughter as a temporary ward until the return of her brother from India. As it chanced, this Captain Piercy was a relative of Haliburton's, and while visiting him it was that Haliburton had made Miss Neville's acquaintance, and, with characteristic impetuosity, became engaged to and married her. He must have accepted his youthfully undertaken responsibilities with becoming seriousness, however, and upon his return to Windsor have applied himself studiously to completing his professional qualifications, for we find that by 1820 he had been admitted to the Bar, and shortly after had begun his law practice at Annapolis Royal.[4]

In his new environment Haliburton found a social atmosphere and a political tradition precisely calculated to continue the influence of Windsor and King's College. As the former capital of the province, Annapolis Royal still clung to something of its old-time air of superiority. "In the earlier days of the century," writes one of its local historians,[5] "the town presented the appearance of an aristocratic, and conservative community. The leading residents were descendants of former provincial officials, either military or civil, and occupied a high place in provincial society." The predominating element among the influential residents of the town was Loyalist, or of Loyalist descent, an element which in the case of Annapolis Royal included men who had been "of high social and

[4] Calnek-Savary, *Hist. of the Co. of Annapolis,* 419. There is some uncertainty as to the exact date of Haliburton's removal to Annapolis Royal. Calnek-Savary (work cited, 419) give the date as July, 1821, but Eaton, *N. E. Hist. and Geneal. Reg.,* LXXI, 70, points out that Haliburton's children continued to be baptized at Windsor until July, 1823.

[5] W. M. MacVicar, in *A Short History of Annapolis Royal,* 109.

official rank and importance,"[6] and who had early been forced into an arrogant and haughty class-solidarity by a peculiarly bitter hostility on the part of the pre-Loyalist minority.[7] The Toryism of the town found its counterpart in that of the surrounding country, particularly towards the westward as far as Digby, where the population was almost exclusively Loyalist. More important as a formative influence upon Haliburton than the conservatism of its society and politics were the romantic and historic associations of the place, the ancient Port Royal of their most Christian Majesties, the Kings of France. It was the oldest town save one in North America, and had probably passed through more momentous changes of fortune than any other in the New World. On every side were mementoes of its earlier importance as the site of a pivotal fortress, and of the successive investments it had withstood. The scene of nearly every event of military consequence in Nova Scotia, and the seat of its former government under both French and English rule, it was the one place in which the future historian of the province needed to find himself. Nor, as we shall see, was Haliburton long in responding to its spell. Very soon after his arrival in Annapolis he had begun to manifest that interest in the romantic and the picturesque which became so strongly developed a characteristic of his later manhood, and to busy himself with researches into the history and resources of his province to an extent that must have interfered seriously with the successful establishment of his law practice.

Though favorably situated[8] at the head of the beauti-

[6] Savary, *History of the County of Annapolis Supplement*, 37.

[7] *Ibid.*, 37, 38.

[8] A provincial poet of the time speaks of Annapolis Royal as a "Delicious spot, by Nature wholly blest." "Western Scenes," *Acadian Magazine*, Jan. 1826, 242.

ful basin which bears its name, the town during the period of Haliburton's residence is spoken of in a contemporary description [9] as a place of little importance. Possibly the population included as many as a thousand people, but business was not thriving, and the houses were generally old and decayed.[10] One faded survival of its former color and animation persisted in the custom of ringing the court-house bell during the session of the circuit court, when the sheriff and his constables headed a sort of procession which escorted the presiding judge to the court-room on each day of the sitting.[10] Life in such an atmosphere must have been placid in the extreme. The only connections with the outside world which disturbed its general air of sleepiness were with Digby, and St. John, New Brunswick, by weekly packet. A post ran regularly as often to Halifax, but until the establishment of a tri-weekly stage line to the capital in 1828, Annapolis was pretty well isolated from the rest of the province. One would hardly expect this to have been the place to present any very favorable opportunity to a struggling young lawyer, yet we are informed that Haliburton had not long been settled there before he had acquired an extensive and lucrative practice and become a popular advocate.[11]

In the course of his busy life at Annapolis Royal as a rising attorney and an eager inquirer into provincial history, he succeeded in establishing cordial relationships with various persons throughout the countryside, some of which in time developed into delightful intimacies. Particularly fortunate, in respect to its results upon his literary work, then about beginning, was his friendship with Judge Peleg Wiswall of Digby, an Associate Justice of

[9] *A General Description of Nova Scotia,* 85.
[10] *Acadian Magazine,* Jan. 1826, 243.
[11] Calnek-Savary, *Hist. of Co. of Annapolis,* 419.

the Supreme Court and Master in Chancery. To him Haliburton owed not only much badly needed information, but inspiration, sound advice, and generous assistance as well. As a young man Judge Wiswall had come with the Loyalist refugees into what later became Digby County, and so had been able to observe and share in what was practically the beginning of its history. Though an ardent Loyalist partisan, he had won his place on the Bench by sheer ability demonstrated both as a lawyer and a legislator. He was a man of keen practical common sense, whose advice upon the most diversified matters was sought by his colleagues, and others, and accepted as that of a shrewd man of affairs who delighted in the careful consideration of every one of the innumerable questions propounded to him. Not a detail of the social and industrial progress of his county seems to have escaped either his notice or his comment. Happily, along with the habit of close observation, he had formed the habit of preserving every scrap of writing that fell to his hands. Among what still exists of these manuscript treasures [12] are a number of letters written by Haliburton, from which may be gleaned some slight and scattered revelations of the latter's activities and opinions at the outset of his professional career.

Many of Haliburton's letters came into Judge Wiswall's possession through being addressed to G. K. Nichols, Mrs. Wiswall's nephew, who as a boy had been brought to Digby from his home in Connecticut, and had grown up as a son in the Wiswall household. One of these under date of March 30, 1826 [?] contains, besides some trifling law matters, Haliburton's private confession in regard to a distressing aspect of Nova Scotia's climate, which in public

[12] Now in the possession of G. E. E. Nichols, Esq., Halifax, N. S.

he never ceased to defend against the prevailing notion,[13] though that, so it happened, corresponded very closely to his own, as here revealed! After expressing pleasure that Judge Wiswall had decided not to undergo the discomfort of a month of March trip across the Bay of Fundy to St. John, Haliburton continues with his admission, the perennial truth of which any Nova Scotian will appreciate:

"... the season of the year is too far advanced, to render a voyage either safe or pleasant, and I believe after 25 every body more or less feels the effect of our Springs. I do not mind the winter but really I dread the Spring, the cold is so raw & damp, so penetrating, & yet heavy on the nerves, the ground so wet & chill, and the weather so variable, that I swear I feel in a shiver from 10th March to 10th May."

In the same letter Haliburton makes interesting mention of one of his neighbors at Annapolis, Judge Thomas Ritchie, who had been associated with W. H. O. Haliburton in the Assembly in the defense of the detested Judges Bill of 1824,[14] and had been another of the three to accept appointment under the provisions of that bill. Judge Ritchie, like Haliburton's father, had served a long and honorable term in the Assembly, and was, it is said, ambitious of election to the speaker's chair.[15] His acceptance of office in the Courts of Inferior Pleas had, probably to his disappointment, cut him off from all possibility of obtaining what in those days was a coveted honor. Haliburton's comment is much in the manner of his soon to be freely talked about House of Assembly oratory:

"Ritchie," he writes, "has not yet returned, that unfortunate man has his heart lodged in the *house*, it was the temple in which

[13] See *Hist. & Stat. Acct. N. S.*, II, 352, 353.

[14] See above, 12.

[15] He was defeated by Simon Bradstreet Robie in a contest for the Speakership in 1817. Israel Longworth, "Honorable Judge Robie," *Acadiensis*, April, 1901, 74.

he worshipped the Speaker's chair, the idol of his ambition, and now that he has lost his *cast,* he wanders through the gallerys [*sic*], and strays in the porticoes, & lingers on the steps, as if loth to lose sight of an object, which is perhaps dearer to him, in proportion as it is unattainable. I believe he is to be pitied, for he is far from being a happy man, therefore like a true christian I will pray for a herd of swine, to receive the seven devils with which he is possessed —"

Towards his neighbor it is scarcely probable that Haliburton had always felt quite the same pious charity, since some time before Judge Ritchie's disappointment had moved him to pity he had written to Nichols:

2 Jany. 1822.

"My dear Sir

Coming away sooner than I expected I forgot to return your silver pencil case & knife which I will send by some safe conveyance at my return. I wrote to Mr. Ritchie stateing [*sic*] to him that the language he had made use of was of a nature impossible to be passed over, and that I required him to retract his words as fully and as amply as he had made them. He answers that he has *no recollection* of having made *use of* the expressions, but that if he had it was unintentional and he was sorry to have occasioned me any uneasiness on that account.

Adieux,

Yrs.

Thos. C. Haliburton"

Please to present for me the compliments of this season to Mrs. Nichols."

Something more than the square-jawed aggressiveness Haliburton must have shown in the incident here referred to is displayed in the peremptory tone of this note to one Asa Porter, accused of unlawfully harboring another man's wife, a tone well known in later years when Haliburton's word had become a terror to evil-doers:

Annapolis, 11th Jany. 1822.

"Sir —

I understand that you have not sent home Specht's wife and children, under the pretense that you wont turn them out of your house. Now Sir unless you immediately cease to harbour them I will give yourself and wife a trip to Halifax for your amusement under a writ of habeas corpus.

Tho. C. Haliburton."

Further evidence that the youthful barrister was the father of the mature judge — for Haliburton had another reputation on the Bench besides that of a jovial jester — is afforded in the impatience of the last sentence of another letter to Nichols, dated March [?] 22, 1829,

"Do for gods sake get Judge Uniacke to settle that affair of Hoyts,"

and in the irascibility of,

". . . Look into the Mondays paper and you will see an advertisement of John Lawsons, which of all the damn foolishness of that damn foolish man is the most foolish."[16]

The letter referring to Judge Ritchie and the Speakership concludes with some further comment on local politics and on the provincial legislature in which Haliburton was soon to play so prominent a part:

"There is very little doing here just nothing — By the bye — Election. Poor Annapolis County, how fallen, when John Bath, Wm. Daveis [?], William Roach[17] &c. &c. are to be candidates. They may talk as they will of Nova Scotia but it is deteriorating — the assembly is not to be compared with what it was, the bar

[16] From an undated letter. A John Lawson had been a fellow matriculant with Haliburton at King's.

[17] William Roach was elected to the House of Assembly as a colleague of Haliburton in 1827 from Annapolis County. Previously he had served a term as member for Digby township, and was again member for the county from 1830–1836. He was an earnest reformer.

not to be named with the old one, for law, sense, manner, liberality, or anything good, and the state of society, I mean in the Country, will not be so good these 100 years to come, ask the Judge if he does not think so. Remember me most kindly to him, & Mrs. Wiswall. . . .

In haste sincerely yours,

T. C. Haliburton."

To Judge Wiswall, Haliburton, upon his return from attending court in Halifax in 1825,[18] gossips entertainingly upon various court-room dignitaries then and afterwards occupying prominent places in Nova Scotia's judicial history:

". . . There was but little to do at the January Term — but 4 trials I think two only of which had anything of Interest — Forresters & Cross — The latter notwithstanding all that has appeared in the papers was a very mysterious affair, and the Judge Hal[l]iburton [19] when he discharged Mr. Cross told him 'he returned to an honorable profession an unspotted man & free from suspicion' I confess, (and I took down for amusement every tittle of evidence) that I could see nothing to remove the *suspicion* arising from the blood traced to Cross' door from the body (which was distinctly proved) nor the suspicion arising from the declaration of two surgeons that the wound *exactly* corresponded to that made by a regulation sword — nor could I see any contradiction in the Testimony — tho there was nothing to *convict* there was much to induce *suspicion* and many think the officers saw what they deponed to 1st turning away of deceased — the Black-woman what she swore to the 2nd thrusting out of the house and that the unfortunate man returned a third time & received his death when no human eye witnessed it — His bloody cloaths were an appalling spectacle —

[18] The letter is undated but endorsed 1825 in Judge Wiswall's handwriting.

[19] Brenton, later Sir Brenton, Halliburton, Judge of the Supreme Court, afterwards Chief Justice. A famous namesake, but not a relative of Thomas Chandler Haliburton's with whom he was often confused. See below, 415, foot-note.

Of news there is but little — Government have given to Newfoundland a constitution — Sir Thomas Cochran (formerly a Captain in the navy at Halifax to the leniency of whose command 7 Gibbets at Maugers beech [beach] bore testimony) goes out Governor, and Mr. Brenton whom you know a relative of Judge Stewart [20] Secretary with salary of 600 a year — the office of Atty General was offered to him but declined on account of poor health, or disinclination for the fag of office — that place is still vacant, and might it is thought be obtained by some of the Seniors of the bar of N. S. if aided by Sir James Kempt [21] — Mr Archibald [22] is speaker elect, the others having withdrawn their pretensions to the chair, he has returned in good health and spirits, has many anecdotes of the old world, seen much of it as Sadler crossed the English channel in a balloon — He *saw* Paris, *touched* at Brussels, *spoke* Strasburg, *provisioned* at Whitehall, &c. He seems to feel some uneasiness from the dissatisfaction felt at the Island of St. John [23] on the score of non residence, which his natural affability and knowledge of men & manners has not been sufficient to allay. There is an apparent jealousy also among his fellows at the bar at Halifax of his continuing in practice, and he will hereafter hear some wag inform their *honors* on the bench that his *Lordship* the *Chief Justice* of Edward Island is wrong in Law &c. &c. I saw Mr. Fitzgerald Uniacke [24] who informed me he saw Robie [25] who was all delight at what he saw, he had been in Loc-Katrine with the Lady of the Lake, in Rob Roy cave with Scotts novel in his hand, had viewed Melrose by moonlight with Marmion &c.

[20] James J. Stewart, formerly Solicitor-General, then Judge of the Supreme Court and member of His Majesty's Council.

[21] Governor of Nova Scotia, 1820–1828.

[22] S. G. W. Archibald, who by a curious legal anomaly had been elected to the Speakership of the House of Assembly in Nova Scotia while still holding the Chief Justiceship of Prince Edward Island.

[23] The name given by the French to Prince Edward Island.

[24] Rev. G. F. Uniacke, rector of St. George's church, Halifax, N. S., fellow student of Haliburton's at King's.

[25] Simon Bradstreet Robie, then Solicitor-General, later the first Master of the Rolls in Nova Scotia and Judge in Chancery. An eminent jurist and a particularly intimate friend of both Judge Wiswall and Haliburton.

Everything he saw increased his wonder and avidity to travel, and he intends not to return until the latest period of the Autumn. There is a report in town which I hear Judge Hal[l]iburton takes much pains to contradict & which all his friends deny, that at Liverpool while in the presence of Ad[l] Murray, he was as usual exalting the American navy & publishing the disgrace of the british, when he was roughly handled by the admiral, and taught to know the difference between being in the great world and a little circle of friends like Lawson and Maynard at Halifax. It is characteristic of the paradox of the one & the violent temper of the other I cannot help thinking there is some truth in it.

The big [?] subjects — Bank — Subenacadie *Canal* — & *Schools* will occupy the house this winter. Some people anticipate a stormy session, but I think it will pass over with a little scolding. The two alterations of the Halifax Road — that from finerty's to fulton['s] avoiding the Hills by Mitchell['s], and that by Shaw's tavern are two of the best ever made in this province. A rout [*sic*] has been explored to avoid Ardoise and the great hill 7 miles from Windsor which will be effected next summer, when there will be no hill except at Mount Uniacke between Halifax & Falmouth Bridge. With best respects to Mrs. Wiswall & Miss Wiswall in which Mrs. H. begs to join

I am Dear Sir

Yours very truly,

Tho. C. Haliburton."

Upon the question of immigration to Nova Scotia, an important matter in the early years of the last century, and upon the perversity of what he pleased to term "the mob," Haliburton had already at Annapolis Royal reached an opinion that differed in no essential from that which he held afterwards;[26] but his opinion at that time as to the future relations between Nova Scotia and the United States can be regarded as nothing short of sheer apostasy in the light of his later pronouncements of the same subject. There are Nova Scotians still, however, who would

[26] See *Hist. & Stat. Acct. of N. S.*, 11, 359, 360.

endorse his earlier views as the sounder. Writing to Judge Wiswall on January 7, 1824, he says:

"Upon the subject of Emigration I agree perfectly with you that we are ourselves too poor to maintain or receive the paupers of other Countries, and that Low Irish — disbanded Soldiers — hungry adventurers, & Chesapeake blacks [27] are not the class of emigrants we want, and that so far from courting their approach to our shores we have already many who could be spared from among us. But I conceive that a limited emigration of mechanicks & practical farmers possessing a property of from 500 to 1500 pounds each would be of infinite service to us. Such is the feeling of the *mob* of all countries, that if we wanted Emigrants, the proper method to obtain them would be instead of courting them & holding out alluring prospects, to circulate through Great Britain Printed Copies of a Law forbidding any access of strangers as settlers to our shores. I am of opinion that such a law (not enforced) would soon people our wilderness with Inhabitants.

There is an event (if a politician I could calculate its approach with as much exactness as an astronomer fixes the period of an eclipse) which we all know must happen. I mean the conquest or purchase of all the colonies by the United States (I am only expressing thoughts not wishes). Till then no great change will take place in Nova Scotia, however much people may flatter themselves. But the day of our transfer marks the moment of our manhood. We shall then become an Integral part of a large nation, and start in life with an immense estate entailed by nature on our posterity. I question whether our iron, lead, manganese, ochre, lime, grindstone, sulphur, slate, coal, plaster & freestone, our healthy climate, capacious and numerous harbours, situation amid the fishing &c will not then render us the most popular part of America. *We have everything that America wants & we want all it raises.* Till that period all these resources must inevitably be idle."

In Abbé Jean-Mandé Segogne, curé of the French Acadians in the district of Clare at the extreme western

[27] All of which classes were already represented among Nova Scotia's immigrant population.

end of Digby county, Haliburton had another close friend,[28] to whose influence must be attributed much of his sympathy and enlightened attitude towards the unfortunate first settlers of Nova Scotia. Abbé Segogne was in a very real sense the father-confessor of his people. He was their priest, law-giver, notary, and judge. It was he who preserved their memorials, wrote their deeds and contracts, and taught them to avoid litigation and strife among themselves, and to live at peace with their English neighbors. He had been driven out of France by the revolutionary excesses of 1790, and had taken refuge in England, where he learned to admire English laws and customs.[29]

Coming to Clare in 1799, he remained among his charges there until his death in 1844, exemplifying not only the piety and good cheer which he taught but also the urbanity and polished manners of a gentleman of the old French school which continued to distinguish him even in the backwoods of Nova Scotia. In the House of Assembly Haliburton paid a generous, if somewhat declamatory, tribute to the labors of this gracious and devoted leader of the French Acadian people.[30] By a stroke of good for-

[28] "L'auteur de *Sam Slick* prenait un intérêt infini à la conversation de ce prêtre français, dont la vie, les idées, les habitudes contrastaient si singulièrement avec tout ce qui l'entourait. De son côté le curé de Sainte-Marie [Abbé Segogne] estimait et aimait ce protestant convaincu, éclairé, libre de préjugés, cet esprit fin, sarcastique, d'une gaieté toute gauloise." H. R. Casgrain, *Un Pèlerinage au pays d'Evangéline*, 354, 355.

[29] "N'en soyons pas surpris, le Père avait conservé de l'hospitalité reçue en Angleterre un souvenir impérissable, et il disait à un de ses amis, avec un tressaillement de bonheur: 'J'aime beaucoup le peuple anglais,' et il le disait dans la langue de ses bienfaiteurs. . . ." P. M. Dagnaud, *Les Français du Sud-Ouest de la Nouvelle Écosse*, 169, 170.

[30] See below, 87–92.

tune a letter[31] has recently come to light which discloses the felicitous relationship between the two men. It has a further interest in that it discloses also a principle of professional conduct greatly to the credit of the younger.

[To the Abbé Segogne]

"My dear Sir—

I had the pleasure to receive your letter respecting the suit between Davourt and Loucette. Since then one of the Robisheaux has come to me for a writ.

It is not however by any means proper for me to hurry these poor people into a law suit, without a more intimate knowledge of their case, an inspection of their titles, and a sight of the award & bond of Reference. Law is extremely expensive, whoever loses the suit will lose much money, and as they look to me for candid advice, I think I should be deficient in that candour, if I encouraged a precipitancy in the plaintiff to rush into a costly suit, before I can well understand the grounds of his claim. Much will depend upon his tittle [*sic*] being definite, including the spot in question without reservation, and much more on the length of the possession. As neighbours I could wish they will do me the justice to suppose that this delay originates in a sincere desire, to serve them effectually and not in any negligence of their interest. Will you do me the favour, my dear Sir, to convey this my opinion to them, and at the same time to explain to them that the expense of bringing witnesses from so great a distance[32] will make the suit more expensive to the losing party than they have any idea of, and in short more than the land is worth. I wish to see the plaintiff at Digby Court and hope he will bring me all the papers, when I will give him a writ for next Supreme Court, which will decide the affair before the period of mowing.

[31] Accidentally found between the pages of a volume in the Edwards Collection of Canadiana, Acadia College Library, Wolfville, N. S., by the librarian, Mrs. Mary K. Ingraham. The letter is printed here with the permission of Major J. P. Edwards, Halifax, N. S.

[32] From Clare to Annapolis, since the Supreme Court at this date did not sit at Digby. *Novascotian,* Feb. 26, 1829.

When I was last in Town [33] I saw some of your friends there who were making enquiries after your health — the book you saw advertised in the papers, is strange to say, nothing more than a reprinted copy of the old one, which an unprincipled bookseller has pirated from me, thinking [it] no doubt a very clever thing to avail himself of the profits of my labour. I knew nothing of it till I saw it advertised. The second edition which I am preparing will take nearly a year to complete in a way to satisfy myself, as soon as it is printed I will send you a copy.

Mrs. Haliburton desires to unite with me in begging you to accept the assurance of

very great esteem
Yours most truly,
Tho. C. Haliburton.

5th Sepr. [?] 1825."

[33] *I.e.*, Halifax.

CHAPTER IV

THE *GENERAL DESCRIPTION*

An interest other than that arising from its revelation of the mutual cordiality existing between Haliburton and the Abbé Segogne attaches itself to the letter which closes the last chapter, — an interest occasioned by its connection with a problem of previously undetermined authorship. To one not knowing when this letter was written, its reference to the book, " advertised in the papers," could suggest only the well-known incident of Bentley's pirating the first series of *The Clockmaker* in 1836.[1] The parallel between the established facts of the one and the apparent facts of the other is perfect. Yet the date of the letter, 1825, prevents our regarding the two as identical. What is really puzzling about the bibliographical information contained in this letter, however, is that, so far as has been admitted, heretofore at least, the earliest date of any of Haliburton's works is that of his History of Nova Scotia, 1829. Unless, then, one can believe that Haliburton made the almost incredible mistake of misdating his communication to the Abbé by not less than four years, we are forced back upon the necessity of finding a hitherto unacknowledged work of his to square with the closing remarks of the letter.

The earliest fairly complete bibliography of Haliburton, published by Henry J. Morgan in his *Bibliotheca Canadensis* in 1867, furnishes the most obvious clue upon which to begin one's search. First among its

[1] See below, 200ff.

items is listed a pamphlet, since repeatedly denied to be by Haliburton, "*A General Description of Nova Scotia.* New ed. *Halifax,* 1825." This pamphlet, which may be fairly enough described as a handbook of information concerning Nova Scotia's history and geography for intending immigrants, is almost as familiar to students of Canadiana in its first edition, dated Halifax, 1823, as is that of 1825, which Morgan records. That the second of the two editions was pirated may be conjectured from the fact that some of the less obvious revisions on the errata sheet of the first were missed in the reprinting, something that should not have happened if the author had supervised or controlled the republication. The dates of the two editions, then, and the possibility of the second being pirated, make it a natural assumption that the *General Description* was the work Haliburton was referring to in his letter. If one may add to this the further assumption that the revision upon which Haliburton informed the Abbé Segogne he was at work eventually appeared as the former's *Historical and Statistical Account of Nova Scotia* in 1829, then the *General Description* needs only to have been advertised in the press previous to September, 1825, to meet the test of the data which Haliburton's letter sets forth in respect to his unnamed work.

On July 16, 1825, the Halifax *Acadian Recorder* displayed the following announcement:

"This day is published in 8vo. price five shillings, a new edition of a General Description of Nova Scotia, illustrated by a new & correct Map. Printed at the Royal Acadian School in 1823—reprinted for & sold by C. H. Belcher. . . ."[2]

[2] This identical announcement appears also in the Halifax *Free Press* for September 13, 1825 (the only number available for examination), dated, like that of the *Acadian Recorder,* July 16, 1825.

An easy solution of our problem of authorship would seem to be, therefore, the acceptance of Morgan's entry at its face value and the *General Description* as actually Haliburton's. Unfortunately, the value of Morgan's entry is completely vitiated by the fact that he also credits the *General Description* to Walter Bromley, a retired British officer of Halifax, Nova Scotia, favorably known there as the founder and headmaster of the Royal Acadian School. This double entry in the *Bibliotheca Canadensis*,[3] coupled with the inclusion in the list of Haliburton's works of a book unquestionably not his,[4] has so discredited Morgan as a trustworthy bibliographer, that, while the suspicion that Haliburton might have written the *General Description* has perhaps never wholly disappeared,[5] the pamphlet was not again seriously considered as his until it was once more assigned to him in the bibliography of his works prepared by John Parker Anderson of the British Museum for the memorial volume, *Haliburton: A Centenary Chaplet,* published by the Haliburton Club of King's College, in 1897, under the editorship of A. B. de Mille. This reassignment of the *General Description* to Haliburton led Professor de Mille to investigate the reopened question of its authorship, with the result that the new bibliography appeared in print with the following note appended to its entry of the two editions of the pamphlet:

"This work is wrongly ascribed to Haliburton in Morgan's *Bibliotheca Canadensis*, where it is also assigned to its real author — Walter Bromley, Master of the Royal Acadian School, Halifax,

[3] 47.

[4] "Kentucky: a tale, London, 1834, 2 vols.," a London edition of *The Harpe's Head, a Legend of Kentucky,* Philadelphia, 1833, by James Hall, a Judge in the Circuit Court of Illinois.

[5] See *Acadian Magazine,* May, 1827, 434; Justin H. Winsor's *Narrative and Critical History of America,* VIII, 176.

N. S. The book was published anonymously, but bears marked internal evidence of its authorship. — A. B. de M."[6]

Up to the present de Mille's correction of Anderson has been held, without a sign of dissent, to have definitely settled the question of who wrote the *General Description.*

In reality, the "marked internal evidence" upon which Professor de Mille relied in naming Bromley the author of the work in question is of the slightest sort: the statement on the title page of each edition of the pamphlet that it was printed at the Royal Acadian School, and, in the preface to each, a reference by the author to his "residence of more than fifteen years in the country" (presumably taken as about corresponding to the length of Bromley's sojourn in Nova Scotia up to 1823[7]) and to his "repeated journeys into the interior," introduced as a warrant for his undertaking, which he tells us was "to dispel the errors which have been circulated about the province, and to give a true description of its climate and productions, its agriculture and trade, its public institutions and laws, etc., etc."[8]

As a fair set-off to these statements, the *General Description* contains two other passages which may be adduced

[6] Reproduced in A. H. O'Brien's "Haliburton, A Sketch and Bibliography," *Trans. Royal Soc. Can.,* 1909, III (sec. II), 62. Reprint of same, 1910, 22.

[7] The *General Description,* 160, foot-note, gives 1813 as the date of the establishment of the Royal Acadian School. Murdoch, *Hist. N. S.* III, 347, states that Bromley had been in the country *previously* "as a captain and paymaster of the 23rd regiment." This previous residence with that which followed 1813, might have amounted to more than fifteen years by 1823, though George Mullane, Esq., of Halifax, N. S., supplies the information that the actual date of Bromley's first arrival in Halifax was 1809.

[8] *Gen'l Descrp.* 5, Edition of 1823. Other references to the *Gen'l Descrp.* are also to the first edition.

as "internal evidence" equally "marked," and pointing to precisely the opposite conclusion:

(1) "Attempts have been made by one or two individuals to excite an interest in the public in behalf of these people [the Nova Scotian Indians], but they have not been as successful as could be wished. Walter Bromley, Esq., has taken a very active part in their favour, and has made several appeals to the humanity of the public, but he has had a strong prejudice to contend with." [9]

(2) "Beside private establishments Halifax contains a very respectable Grammar School, a large school for the Catholics, one on Bell's and another on Lancaster's System of education. The latter is extremely flourishing, being under the active superintendence of Walter Bromley, Esquire, on the half pay of the 23d Regiment of foot. The unwearied and disinterested attention of this Gentleman, to the arduous duties of a large public School, principally composed of young children, the neatness, regularity and order he has introduced in the establishment, the interest and paternal care he manifests for the morals and education of his scholars, and the immense number of children he has taught the rudiments of education, entitle him to the highest credit and respect." [10]

Whoever else it may have been, it was certainly not Walter Bromley who wrote the second of these passages. Upon internal evidence alone, then, the authorship of the *General Description* remains as undecided as ever. Fortunately, it can be decided on evidence of another sort.

Haliburton's correspondence with Judge Wiswall furnishes the desired key to the riddle. Writing from Annapolis Royal under date of January 7, 1824, Haliburton lays before his friend the plans for his History of Nova Scotia, then well under way. In the course of his explanation he says, concerning that portion of the projected work which finally became volume two of the History:

[9] *Ibid.*, 56. [10] *Ibid.*, 160.

"The Last chapter will be a completion of the 11th in the Pamphlet and is intended to answer a double purpose. First it shews the manner in which our little Colonial machine is put into motion, the objects that attract the attention of its Government the mode of conducting Public business and the gradual and progressive Improvement of the Colony. Secondly it shews the actual state of the Country its revenue and the purpose to which it is applied together with the Customs feelings and habits of the people and admits room for the introduction of such general remarks and observations as may not so properly be given under any of the preceding Chapters."[11]

An examination of the eleventh chapter of the *General Description* shows it to contain a brief discussion of the development of Nova Scotia, particularly under its last four governors, mention of the building of roads, the increase of revenue, and the general advance of prosperity and well-being in the colony, as well as information respecting various customs connected with settling and earning a living there, and the steps being taken to promote agriculture and manufacturing. Evidently, here is material that lends itself perfectly to the "completion" which Haliburton had in mind in outlining his History to Judge Wiswall. There is, of course, no hint in Haliburton's disclosure that "the Pamphlet" mentioned is his own, nor in the remark, made later in the same letter, that "the new will embrace most of the old work." Still later in this letter, however, occurs another statement in obvious reference to "the Pamphlet" in which Haliburton declares to the Judge: "Indeed you are almost the only person, Goldsmith[12]

[11] The full context of the excerpts from the Haliburton-Wiswall correspondence presented in this chapter may be found below, 126 ff.

[12] This may have been any one of three grand-nephews of the Irish poet, Oliver Goldsmith, Henry, Oliver, and Benjamin M., all of whom were at various times residents of Annapolis Royal. The namesake of the elder Oliver had something of his grand-

excepted, who knows who the author of that work is, or that I am still employed on the same subject." This, indeed, is ground for strong presumption that "the Pamphlet" is really Haliburton's, though it falls just short of the explicit assurance needed to justify an unqualified assertion to that effect. Taken in conjunction with the information afforded by the letter to Abbé Segogne, however, it is clear proof that before 1824 Haliburton had written a work on the history of his native province. And since we have just seen that the *General Description* contains material that could well have made it the very pamphlet of which the eleventh chapter was to be carried to completion in the *Historical and Statistical Account of Nova Scotia,* there is also ground for an equally strong presumption that the *General Description,* "the Pamphlet," and Haliburton's early work on the history of his province were one and the same. Evidence that puts the matter beyond the possibility of a doubt is forthcoming in another letter from Haliburton to Judge Wiswall, written in December, 1824. Speaking still of the plans for his History, Haliburton makes this statement: "I have in the old-work a chapter entitled 'Sketch of the administration of Sir Geo. Prevost-Sherbrooke-Dalhousie and Kempt.'" A glance at the heading of the eleventh chapter of the *General Description* shows that it reads: "A brief Sketch of the State of the Province during the Administration of Sir George Prevost, Sir John Sherbrooke, and Earl of Dalhousie, and Sir James Kempt." With the discovery of this agreement between the actual and quoted title, the identity of the *General Description,* "the Pamphlet," and Haliburton's "old-work" is established, and the question

uncle's genius, and is well-known among the earliest Canadian poets for his "The Rising Village," a creditable emulation of the more inspired "Deserted Village" of his famous relative.

of their authorship settled beyond the possibility of a doubt.

Were further evidence needed to support this conclusion, it could be found in the complete or partial resemblance existing between various passages of the *General Description* and the *Historical and Statistical Account.* Considered by themselves, it might be argued that these merely prove Haliburton to have been little more than an industrious plagiarist, but in the light of his own statements they must be accepted as proof that in the preparation of his History he made a perfectly natural and commendable use of an earlier work also his. The material from the one falls too naturally into place in the other to afford any evidence of plagiarism. What could not possibly be explained as mere ingenuity of arrangement, appears simple enough as the result of expanding a slight and immature work into one projected on a much larger scale, and worked out to a considerable degree of completeness. Quite as conclusive evidence that both are by the same hand is afforded by the variations in the borrowings as by their resemblances. In every case the changes made, when not demanded by the new context, reveal the author correcting, or attempting to improve upon, his original expression. Upon this point the testimony of a single pair of parallel passages will suffice: [13]

[13] For convenience of those who may care to investigate this matter further the following reference list to the other parallel readings in the *General Description* (edition of 1823) and the *Historical and Statistical Account of Nova Scotia* (edition of 1829) is appended:

Gen. Descrp.	*Hist. N. S.*
p. 11, ll. 2–19	I, p. 78, l. 30–p. 79, l. 16
p. 43, ll. 14–36	II, p. 295, l. 11–p. 296, l. 2
p. 43, l. 42–p. 44, l. 2	II, p. 301, ll. 28–31
p. 62, ll. 4–19	II, p. 11, l. 31–p. 12, l. 15

In 1696 Col. Church, who will long be remembered in Massachusetts for his exploits against the celebrated Indian Chief Philip, being entrusted with a force to visit Nova Scotia, sailed directly to Chignecto or Beau Basin. Upon the discovery of the English forces, most of the French inhabitants left their houses and fled into the woods. The English pursued and soon met Bourgeois, a principal inhabitant, coming to ask quarter for himself and family, which was readily granted. Upon his examination it appeared that there were Indians mixed with the French in the woods, and orders were thereupon given to renew the pursuit, and to offer quarter to all the French, but to give none to the Indians. Bourgeois was desired also to give notice to all his countrymen, who would come in, that they should be received. Many of the inhabitants surrendered

Measures of retaliation were immediately determined upon, and Colonel Church, with 500 men, was ordered to embark at Portsmouth and visit Nova Scotia.

He sailed direct to Beau Basin and ravaged that country, which has subsequently received the name of Cumberland. Upon discovering the English forces, most of the inhabitants abandoned their houses and fled to the woods. During the pursuit of the fugitives, Burgeois, one of the most respectable Acadians, surrendered, and demanded protection for himself and family, which was readily granted. On his examination, it appeared that there were savages mingled with the inhabitants in the woods, and orders were therefore issued to renew the pursuit, and to offer quarter to all the French, but to give none to the Indians. Burgeois was desired also to

---

p. 63, ll. 6–37	I, p. 136, l. 20–p. 138, l. 16
p. 63, l. 38–p. 64, l. 13	I, p. 140, l. 20–p. 141, l. 20
p. 65, l. 14–p. 66, l. 27	I, p. 158, l. 19–p. 160, l. 14
p. 67, ll. 2–40	I, p. 167, l. 4–p. 168, l. 14
p. 68, ll. 14–17	I, p. 203, ll. 22–25
p. 68, l. 17–p. 69, l. 28	I, p. 206, l. 1–p. 208, l. 8
p. 70, ll. 1–3	II, p. 15, ll. 9–11
p. 70, ll. 5, 6	II, p. 15, ll. 14, 15
p. 70, ll. 11–18	II, p. 15, ll. 19–30
p. 70, l. 18–p. 71, l. 40	II, p. 15, l. 30–p. 17, l. 17
p. 71, l. 41–p. 72, l. 11	II, p. 18, l. 20–p. 19, l. 4
p 72, ll. 34, 35	II, p. 14, ll. 15, 16

and it was proposed to them to join with the English in pursuing the Indians, that upon their compliance their houses should be spared, such of their goods as had been taken should be restored, and the rest of their property preserved. This was a hard condition, and in effect obliging them to quit their country, for otherwise, as soon as the English had left them without sufficient protection, the incensed Indians would have fallen upon them without mercy. They therefore refused to comply, and their houses were thereupon burned, their cattle, sheep, etc. destroyed, and their goods became plunder for the army. Charlevoix says, that Bourgeois produced a writing, by which Sir William Phipps had given assurance of protection to the inhabitants of Chignecto, while they remained faithful subjects of King William; and that Church gave orders that nothgive notice to all his countrymen to return, and that they should be well received. Many of them submitted, and it was proposed to them to join with the English in pursuit of the Indians — an ungenerous request, to which it was impossible to accede, though the restoration of their property, which had been already taken, and the preservation of the rest, was held out to them as an inducement. On their refusing to comply, their houses were burned — their dykes broken down — their cattle and sheep destroyed, and their effects plundered by the soldiers. Charlevoix informs us, that Burgeois produced a proclamation of Sir William Phipps, in which assurances of protection were given to the inhabitants of Chignecto, so long as they remained faithful subjects of King William, and that Church being made acquainted with it,

---

p. 75, l. 41–p. 76, l. 25 — II, p. 25, l. 21–p. 26, l. 17
p. 78, ll. 8–23 — II, p. 115, ll. 7–24
p. 78, ll. 26–32 — II, p. 157, l. 28–p. 158, l. 2
p. 80, ll. 17–33 — I, p. 84, ll. 18–22
p. 81, l. 25–p. 83, l. 18 — I, p. 85, l. 4–p. 88, l. 4
p. 83, l. 38–p. 84, l. 15 — I, p. 90, l. 24–p. 91, l. 15
p. 84, l. 34–p. 85, l. 20 — I, p. 127, l. 13–p. 128, l. 9
p. 85, ll. 22–31 — I, p. 129, l. 33–p. 130, l. 13
p. 85, l. 37–p. 86, l. 10 — II, p. 167, l. 28–p. 168, l. 7
p. 90, ll. 8–12 — II, p. 128, l. 33–p. 129, l. 5
p. 94, ll. 9–16 — II, p. 102, ll. 23–32
p. 97, ll. 7–11 — II, p. 363, ll. 5–8
p. 97, l. 31–p. 98, l. 1 — II, p. 362, l. 14–p. 363, l. 4

ing in their houses etc. should be touched; but whilst he was entertained by Bourgeois, together with the principal officers, the rest of the army dispersed themselves, and behaved as if they had been in a conquered country. He also adds that many of the inhabitants, not trusting to the promises of the Colonel, refused to come in, and that it was fortunate they did so; for soon after, he broke through all bounds, and left only the church and a few houses and barns standing; and having discovered posted up in the church, an order of Frontenac, the Governor of Canada, for the regulation of trade, he threatened to treat them as rebels, set fire to the church and the houses which he had before spared, and which were now all reduced to ashes. The condition of the Acadians was truly deplorable. Their natural attachment was to the French. For a whole century, together, had ordered their property to be respected, but that while he and his officers were entertained by Bourgeois, the soldiers who were dispersed among the inhabitants, conducted themselves as if they had been in a conquered country. He also adds, that many of the people, distrusting his promises, refused to surrender, and that it was fortunate they did so, for an order of Frontenac, the governor of Canada, for the regulation of trade, having been soon after discovered posted up in the chapel, the English treated them as rebels — set fire to the church, and reduced to ashes the few houses which they had previously spared. The condition of these Acadians was truly deplorable. Their natural attachment was to the French. During more than a century they were constantly changing masters, and had no sooner acknowledged themselves the subjects of one crown, than they

---

p. 100, ll. 24–37 — II, p. 361, l. 29–p. 362, l. 10
p. 102, l. 40–p. 103, l. 1 — II, p. 365, ll. 29–32 [20–24
p. 105, ll. 13–19 — II, p. 363, ll. 19–24, p. 366, ll.
p. 105, l. 25 — II, p. 366, ll. 15, 16
p. 110, ll. 12–19 — II, p. 366, l. 32–p. 367, l. 2
p. 115, ll. 23, 24 — II, p. 373, ll. 23–25
p. 115, l. 42–p. 116, l. 7 — II, p. 373, l. 27–p. 374, l. 2
p. 116, ll. 16–32 — II, p. 374, ll. 2–16
p. 141, l. 10–p. 142, l. 24 — II, p. 310, l. 1–p. 311, l. 23
p. 142, l. 11–p. 143, l. 31 — II, p. 313, l. 12–p. 315, l. 8
p. 144, ll. 18–27 — II, p. 332, ll. 16–25

they were once in a few years, changing their masters; and no sooner had owned themselves the subjects of one crown, but they were left to fall again under the power of the other. It was hardly reasonable, where protection was refused or neglected, to charge them with being traitors and rebels. (*G. D.* 91, 92.)

were suffered to pass again under the power of the other. Where protection was thus refused or neglected, it was unreasonable to charge them with being traitors and rebels. (*Hist.* I, 76–78.)

There is little in this display that reveals the plagiarist, but evidence in plenty to show an author reworking his old material. If this matter of comparison between the *General Description* and the *Historical and Statistical Account* were to be pushed beyond the textual parallelism of numerous passages from each, still further proof of the workmanship of one writer for both would be discovered in the identity of their sources and in the purpose and point of view of the discussion they offer on such various subjects as the treatment of the Acadians, the uselessness of Dalhousie College, and the need of reform in the provincial courts of probate.[14]

In the development of this proof that it was Haliburton who wrote the *General Description,* three questions that demand and deserve an answer may have suggested

p. 145, ll. 19–26	II, p. 337, l. 32–p. 338, l. 3
p. 146, ll. 5–21	II, p. 338, ll. 8–26
p. 148, ll. 32–40	II, p. 302, ll. 1–11
p. 153, l. 32–p. 156, l. 41	II, p. 104, l. 6–p. 106, l. 7
p. 157, ll. 6–10	II, p. 107, ll. 1–5
p. 157, ll. 22–33	II, p. 107, ll. 5–12
p. 158, ll. 20–34	II, p. 107, l. 25–p. 108, l. 6
p. 159, l. 36–p. 160, l. 27	II, p. 17, l. 18–p. 18, l. 10

[14] See *Gen. Descrp.* 5, 6, 92, 145, 159, 160; *Hist. and Stat. Acct.* I, VI, VII, 176–198, II, 18, 19, 337, 338; and below, 188, 189.

themselves, especially to those loath to deprive Walter Bromley of the authorship with which he has so long been credited. First, is there any reason, apart from the title-page announcement that the book was printed at the Royal Acadian School, why the *General Description* should have been so persistently connected with Bromley's name? One very probable reason is to be found in the nature and amount of the information contained in the fifth chapter, concerning the Micmacs, the Nova Scotian Indians. Haliburton, so far as is known, was not particularly interested in the Indians nor particularly well-informed about them. Bromley was. He had familiarized himself with their customs and language, and had endeavored to improve their conditions of living. He had even been active enough in their cause to issue *An Appeal to the Virtue and Good Sense of Inhabitants of Great Britain, etc., in behalf of the Indians of North America,*[15] and was, apparently, as earnest a worker for Indian welfare as any among the English-speaking settlers of Nova Scotia. He was, in short, the sort of person to whom Haliburton, following his habit of laying local experts under contribution for his "statistical" information[16] would have been most likely to turn in his search for data regarding the Micmacs. Indeed, it is just possible that Bromley wrote out what was a first draft of the *General Description's* account of the Indians for him. Some slight color of probability is lent to this conjecture from the fact that this section closes with a paradigm of the Micmac verb *Amalki* (=I dance), and a foot-note stating that the Micmac verb inflexion is similar to that of the Delawares, both of which are taken word for word from Bromley's *Appeal.* Whoever supplied it, the information which the fifth chapter of the *General Description* contains is such as to naturally con-

[15] Halifax, 1820. [16] See below, 141, 142.

nect Bromley's name with the book, while it could hardly have suggested Haliburton's.[17] But apart from the suggestion of this chapter, there is, as has been pointed out, no evidence worth considering that Bromley had any share whatever in the writing of the *General Description,* though in fairness to him it should be pointed out also that he had no share whatever in pirating the book. The second, or pirated, edition was indeed marked as issuing from the press of his school, but this, it appears, was merely a judicious repetition from the original edition to give to stolen goods a needed touch of authorization. The real printer of the second edition is disclosed on the obverse of the title page as Edmund Ward, publisher and proprietor of the Halifax *Free Press,* in whose paper the revised pamphlet was advertised when first issued.[18] The blame for the theft, then, lies between Ward and Belcher, the "unprincipled bookseller" of Haliburton's letter to the Abbé Segogne, though the statement on the title-page, "Reprinted for and sold by Clement H. Belcher," seems to fix the fault more clearly upon the latter. Walter Bromley, we may be sure, had no discreditable connection with the pamphlet in either edition.[19] Second, why should Haliburton, who had spent almost the whole of his twenty-seven years in Nova Scotia, refer to his residence there, in 1823, as one of "more than fifteen years"? Obviously, because "more than fifteen years" would include

[17] In this connection it is interesting to note that the *General Description* contains considerably more data about the Micmacs than the *Historical and Statistical Account of Nova Scotia.*

[18] See above, 57, foot-note.

[19] "He was," says Murdoch, *Hist. N. S.* III, 348, "an enthusiast in his pursuit [school-mastering], and made friends and created opposition, but his sole aim was the improvement of human beings; and he was himself a fine specimen of the earnestness, industry, and singleness of heart and purpose of the English race."

accurately enough such of his life-time as could in any way contribute authority to his undertaking.[20] Moreover, since Haliburton evidently did not propose to reveal the fact of his authorship, "more than fifteen years" was sufficiently suggestive of a residence shorter than his actual life-time to afford the desired anonymity. To prefer anonymity to publicity seems always to have been one of his capricious inclinations,[21] and even where there was no possible doubt concerning his authorship, he chose at times any means of admitting it except the simplest one of signing his name.[22] Indeed it appears that only the wise intervention of Judge Wiswall induced him to place his name on the title-page of his History of Nova Scotia, since in discussing plans for its publication Haliburton protested to his friend: "Whoever is known in this province as the author of any publication must consider that he has voluntarily brought himself to the stake to be baited by the empty barking of some and the stings and bites of others."[23] But his preference for anonymity demonstrated, there still remains the question, why did Haliburton never publicly acknowledge the *General Description* as his? More than likely because of the unhoped-for favorable reception of his *Historical and Statistical Account.* Though Haliburton may not have courted publicity, he was, however, not the man to deny himself credit for any achievement that brought him either popularity or fame. Through the publication of his History he won public approval as a pioneer historian, who had attained success with what was thought to be his very first ven-

[20] See above, 13.

[21] Witness his *Clockmaker, Bubbles of Canada,* and *Reply to Lord Durham.*

[22] See the title-pages of any of his humorous works published later than *The Clockmaker.*

[23] See below, 127.

ture. Why should he seek to change so flattering an opinion of his genius? The *General Description,* while by no means a negligible, was a decidedly inferior, piece of work which had excited no great amount of interest or gratitude among the people about whom it presented its information. To confess it his was, therefore, to gain nothing desirable, while by remaining silent about it he retained a reputation which doubtless meant much to him. For this reason it was, in all probability, that he remained indifferent about claiming to have written the pamphlet. Upon this point, as upon those of a similar nature which precede it, only conjecture is possible, of course, and may lead one to entirely erroneous conclusions. But whether these speculative endeavors to answer such pertinent questions as this discussion has provoked come wide of the truth or not, the validity of the argument which has led to them is not affected. The *General Description* is unquestionably Haliburton's. As his own Sam Slick would say, "That's a fact!" [24]

[24] Since this chapter was written its findings have been corroborated in an interesting manner by the information contained in the following note appended to the Bromley entry in Robert J. Long's *Nova Scotian Authors and Their Work — A Bibliography of the Province,* the advance sheets of which have but recently been printed:

"The author of this book [Mr. Long] has in his library a small volume, 210 pages, "Printed at the Royal Acadian School, Halifax," in 1823, entitled "General Description of Nova Scotia," and dedicated to Richard John Uniacke. On the fly-leaf is written 'James Putnam, Esq., from his friend S. W. Deblois.' There are a number of corrections in ink on the margins, among others, 'Col. Balknap' for 'Col. Kidnap' in several places; 'expedition' for 'expectation,' etc. *These corrections are in the handwriting of T. C. Haliburton and the book is the first edition of his 'History of Nova Scotia.'*"

CHAPTER V

IN THE HOUSE OF ASSEMBLY

By 1826 Haliburton was sufficiently well established at Annapolis Royal to be brought forward in the general election of that year as a candidate for one of the county seats[1] in the provincial House of Assembly. His candidacy fully justified the expectations of his friends and secured his return with a fair majority.[2] By a kindly irony he found himself, as a result of the poll, a colleague of the same William Roach of whom as a political possibility he had, five years previously, entertained so poor an opinion[3]; and also, in the ensuing sessions of the legislature, one of a small group of able members destined to contribute much to the rehabilitation of the fame and brilliancy of that very body of whose future he had, at the same time, so thoroughly despaired.[4] Haliburton, indeed, assisted in many ways to make the period of his legislative service a memorable one. The House of Assembly was to him an important opportunity, and he made the most of it. Before his short career as a law-maker was over he had won for himself a conspicuous place among

[1] Not for the district of Clare, as sometimes stated.

[2] Calnek-Savary, *Hist. Co. Annapolis,* 419.

[3] See above, 48.

[4] J. B. Calkin, *History and Geography of Nova Scotia,* 60; Israel Longworth, *Life of S. G. W. Archibald,* 45, 46. "A Ride from Halifax to Windsor," *Novascotian,* Oct. 4, 1827, says of Haliburton during his first session in the House that he "fairly charmed the town [Halifax] with the champagne and the rosy sparkling of his eloquent wit."

Nova Scotia's parliamentary wits and orators, and established an enduring reputation for audacious political belligerency. The atmosphere he found awaiting him in the Province Building at Halifax was one of mutual hostility and challenge between the upper and lower branches of the legislature, and he lost no time in getting into the thick of the fray, manifesting from the first almost as much relish for the fighting as for the side he fought on.

The opposition between the two Houses had begun as far back as 1775.[5] In the beginning it was merely a manifestation of rivalry between the Loyalists, rapidly gaining control in the lower House, and the pre-Loyalists, still out-numbering the newcomers in the upper. Then with the eventual predominance of the former group in both Houses it had, for a time, disappeared, and during the long period of the Napoleonic Wars and the War of 1812 had been held in check through the combined influence of common prosperity and a common enemy. On its reappearance with the financial depression and readjustment consequent upon the return of peace, however, it was no longer an indication of a temporary misunderstanding between rival groups of settlers. The old lines of differing origin had been to a large extent obliterated. It was now a contest in dead earnest between the rights of the people, as represented by the House of Assembly, and those of the Crown, as embodied in His Majesty's Council. In the personnel of the latter body there was alone sufficient cause for the people's opposition. It included, besides the Governor, as ex-officio members, the Bishop of the Church of England, the Chief Justice, the Provincial Treasurer, and the Collector of His Majesty's Customs, and among the rest of the twelve who composed it were the Attorney-General, the Surveyor-General, and

[5] Murdoch, *Hist. N. S.* II, 542, 543.

three associate judges of the Supreme Court. Nearly all of them were members of the Anglican Church, though four-fifths of the people of Nova Scotia were dissenters. All but one were from the city of Halifax, and belonged to the same exclusive social set. Five were said to be connected by blood or marriage with one family. Those who were not judges or lawyers were capitalists or merchants. Of the eight directors of the solitary bank that the province then had, practically a government-guaranteed monopoly, it has been stated that at one time five belonged to the Council![6] In short, in spite of its ability, which was unquestioned, His Majesty's Council was as unrepresentative a body of men as could well have been found in Nova Scotia. And it was as irresponsible as it was unrepresentative. Its powers and privileges were an outrage to even an elementary sense of justice. Since the Councillors held their appointments at the pleasure of the English Crown, exercised through the Governor, they had practically a life tenure of their offices. As law-makers, they sat behind closed doors as the upper branch of the legislature, claiming and exercising the right to amend or reject all bills, including appropriations. As an executive, they met in secret session, advising the Governor as to legislation and making all provincial appointments from sheriffs and militia officers to coroners and school commissioners. In the same capacity they became practically self-perpetuating. As a judicial body, they gave final decisions in the matter of divorce, and of course, those members who had also seats on the Supreme Court Bench had final local jurisdiction in all other legal cases, interpreting the very laws which as a cabinet they had recommended, and as legislators had helped to pass. The honesty of these men

[6] Rev. R. M. Grant, "The Late Hon. Joseph Howe," *The Canadian Monthly*, May, 1875, 504.

was not impeached. What was humanly possible in the just performance of their duty they accomplished. But obviously mere human endeavor simply could not control such a plethora of power. And the people at large were becoming restless under the risks to which this potential tyranny constantly exposed them. But the final cause for the steadily gathering opposition against the Council lay in the fact that as the representative of the Imperial authority it was called upon to administer the old Colonial System, one of the few remaining vestiges of an out-worn mercantilism, that had for its watchword, "English monopoly of colonial trade." Not even the lessons of the American Revolution had taught the English government that some sounder policy must be inaugurated if the greatest prosperity of the homeland and the wisest development of the dependencies were to be attained. The period of peace that followed the Treaty of Ghent, however, had opened the eyes of the North American colonies to the handicap which the English trade restrictions placed them under in their commercial competition with the United States. As the result of continued protests from the colonies, the president of the Board of Trade, the Hon. William Huskisson, in 1825, had recommended the removal of most of the objectionable restrictions, and his recommendation had been carried into effect by legal enactment, although the Imperial government had maintained an effectual control upon colonial trade by the retention of the right to impose and collect duties on foreign commerce. Nevertheless the Huskisson concessions were the beginning of the end of Imperial domination in colonial affairs. What was meant to lull the people of British America into contentment served only to stimulate their desire for complete control of their own concerns. And the struggle which they began for freedom of trade was not abandoned

until more than twenty years later, when they had won not only their initial objective, but complete self-sufficiency in matters of purely colonial interest and a thoroughly democratic system of government as well.

The representatives of the people in the House of Assembly as Haliburton found it at the beginning of this final struggle were, of course, far from constituting the triumphant branch of the legislature. They had the right to talk and vote, and theoretical control of the public purse, but little more. Yet the Assembly, fully alive to its humiliating status, was in no temper to avoid challenge of the Council's prerogatives when they plainly conflicted with the people's desires. The relations between the previous Assembly and Council had been anything but harmonious, and the recently returned House was not in the least disposed to be more conciliating than its predecessor. Many of its members had come from the people strongly resolved upon resistance to the further exercise of certain colonial rights by the Imperial authorities, and to press through certain reformative legislation in the face of the Council's well-known hostility. To oppose the Council was generally supposed to mean political suicide, for the upper House through its control of the patronage was able to block at will all progress towards official appointment. Nevertheless there were men in the new Assembly not to be intimidated, — men prepared, if necessary, to sacrifice career for country.

Into this unequal contest Haliburton brought his still developing Toryism. That before long he was conspicuous for his advocacy of various measures of reform is not strange, however, for in contrast to the illiberality of His Majesty's Council even an orthodox Tory would have looked a radical. Haliburton was too thorough a constitutionalist not to perceive the absurd contradiction be-

tween the unwarranted powers of the upper branch of the legislature and the vaunted rights of a British subject. Yet his opposition to the Council was never consistent. He came to the Assembly as a popular representative, and undoubtedly he desired to stand well with his constituents, but by both inheritance and training his sympathies were with what was to him the ultimate authority, the British government, symbolized in the colonies by the Governor and Council. To support the one brought him into inevitable conflict with the other. What appeared to him as properly within the law, was often the very thing against which as the people's representative he was bound to protest, and what he was not afraid to denounce as unconstitutional was unfortunately ordained by the very government in whose beneficence he gloried. He desired to be at the same time both Imperialist and colonist. While he exulted in being British, he could not forget that he was also British North American. His misfortune was that he never advocated changes fundamental enough to justify his pride in being both. His conception of what would set things right carried him no farther than the point from which the real reformers began their advance. Long before he had completed his term in the Assembly, he must have recognized, as did both his friends and political foes, his inconsistency.[7] He occupied, in short, an impossible position in a sort of No-Man's Land, across which he scurried with disconcerting frequency, attacking now this side, now that, each dashing assault being accompanied by a spectacular discharge of oratorical star-shells.

Haliburton's first important address in the Assembly

[7] See *Novascotian,* April 24, 1828, letter signed "Amicus," and for May 21, 1829, "The Club." See also *Report of Mr. Bull's Jury. . . .* (a pamphlet), 2nd. ed. Halifax, 1829, 43.

contained his declaration of allegiance to Imperial interests. A motion had been made for the appointment of one or more agents, to be resident in London, for the promotion of colonial trade and interests while the old Colonial System was undergoing a process of change.[8] Haliburton resented the proposal as indicative of an unbecoming want of faith in the good intentions of the Imperial authorities. The House ought to rely, he said, upon the goodness of the King's ministers, and upon their power and eagerness to serve the Colonies. "Look at what had already been done. Look at that magnificent change in the colonial trade which they had lately introduced.[9] See its principles developing in a more extended commerce and in streams refluent with wealth. These were a proof of the profound intelligence which her ministers possessed, and the benevolent views which actuated them towards the colonies — a proof that they were not guided by narrow or superficial, but by liberal and matured views."[10] Of the "profound intelligence" of these ministers Haliburton felt compelled to express a vastly different opinion some years later.[11]

Haliburton was almost as prompt to show his devotion to the more pressing needs of the colony as a whole as to defend the Imperial ministry, announcing in a debate on road appropriations that, though he represented an agricultural community, he would vote for the smaller of the two amounts under discussion, because the province needed to conserve its funds to provide bounties for the fishermen and grants for common schools. But the first

[8] *Journal and Proceedings of the House of Assembly, 1827*, Feb. 13.

[9] Huskisson's concessions. See above, 75.

[10] *Novascotian*, Feb. 15, 1827.

[11] See below, 229 ff., 306, 311 ff., 318 ff., 459 ff., 502, 549 ff., 555 ff.

extended display of his powers, called forth when the matter of the Royal government's right to fix Customs House salaries was broached, revealed again his constitutionalist tendencies.

In the last session of the previous House, the Lords of the Treasury had declared their intention of appropriating a large share of the Nova Scotian revenue for the payment of a retiring allowance for the Naval Officer of the country, and for the regular salaries of the Customs House officials. The House had immediately remonstrated against what it deemed an infringement upon its privileges. In reply a communication had been sent out from England with the announcement that their Lordships had abandoned the intention of pensioning the Naval Officer from the provincial funds but would adhere to the plan to authorize the officers of the Customs to retain their salaries from the duties they collected. This dispatch had been laid before the new House early in its first session. Mr. Charles R. Fairbanks, member for Halifax, appeared as leader of the opposition against this latest violation of colonial rights with a set of resolutions containing a moderate assertion of what those rights were, and a proposal to introduce a bill effecting a permanent settlement of the difficulty by providing for the payment of the Customs officers on condition that the entire amount of the duties collected were first paid into the provincial treasury. Haliburton's protest against these resolutions was thoroughly characteristic:

"Mr. Speaker, I rise to oppose these resolutions, which have just been introduced, by the learned gentleman from Halifax. I have listened, Sir, with due and deliberate attention to the arguments which he has urged in defense of his opinions — but I can neither agree to their purport, nor can I approve of the temper in which they are conceived. Sir, I do agree with him in this

that the question is one of commanding importance — that it becomes us to meet it in an open, candid and manly manner — but I cannot view it in the light of a question between a tyrannical government and an oppressed colony. I view it as a question between two people who have sprung from a common stock, who speak the same language, who are endowed with the same feeling, who are creatures of the same customs and habits. It is a question, in short, between the parent and the child; and in its discussion there ought to be intermingled the same affection, the same amenity of language, which would be used in discussing between relatives in private life their conflicting interests. Sir, I see no necessity for raising the tocsin of alarm in this colony that the Maternal Government are invading our liberties — our birthright. On the contrary, I see her extending to us a boon, so liberal and magnificent that I never believed, nay, that I never dreamt, although I am but a young man, I could have ever lived to witness it. Sir, she has broken down the fetters of that colonial monopoly, which has hitherto been regarded as the source of her power, her greatness, her glory, and by which our energies have been so long bound and repressed. I see our ports thrown open to the trade of the world — our ships beating a pathway in every ocean, and spreading their canvas to every breeze — our merchants engaging in a variety of new enterprises, and the commerce of the provinces enriching the country with its streams of wealth. I am not of a temper to look at these benefits and to forget them. They produce an indelible impression — they remain an enduring memorial in the mind. And at what a time is this boon conferred! Is it when the colonies have grown to such maturity and confidence of strength as both to assert their rights and be able to maintain them? Is it when a republican navy is at the mouth of our harbour and their splendid but unsubstantial visions are held out to us of liberty, and of equality? Is it at a time when she is leading her legions forth to battle single-handed with all the world? No, it is in a period of profound repose, when peace is on earth, and the natural energies, the giant power of England are in their prime. They come, too, unsolicited by us. Sir, I cannot forget the hand that has struck off our chains. The trammels have been taken from our limbs — the fetters from our feet — but, Sir, she does not mean them to be flung away, but to be interwoven around our hearts, and to render our allegiance one founded in affection and gratitude. It is with these feelings I come to the

consideration of this important question — it is under these impressions that I frankly state I can discover no attempt to invade our privileges — it is under this persuasion that I condemn the odious name of 'Tax Gatherers' which I heard applied on this floor to the officers of His Majesty's Customs. . . .

Now, Sir, what is all this clamour raised about? What have the British government done? They have swept off all the fees formerly exacted on our trade — these fees, Mr. Speaker, which as you must recollect, were in a former session represented in this Assembly as onerous and offensive, as ruinous to our coasting trade, as subtracting from the provincial wealth annually £16,000, and which occasioned in this Assembly one of the most animated and eloquent debates ever heard in this province. These, I say, are swept away — they are gone. But in their stead the government have determined to support their Custom House out of duties collected in the colony. They demand even a less sum — and the question now is whether they have the right of so appropriating our funds. This is the point which is to be met and grappled with.

Sir, I am but a young member in this Assembly, I am a young lawyer, I am but a young man — but I feel myself called upon to express my honest opinions, without fear and without restraint. I ask you, Sir, you who have reached and merited such distinction in your profession [as] to enjoy a high situation in another colony [12] and one of the most important in this, to point out to me the volume, the statute, in which the rights of the colonies are defined. Blackstone, he who is first put into the hands of the student, and who constitutes the corner stone of all legal learning, passed this subject over. Christian, who seems to have read his work for no other purpose than to detect his errors and to supply his deficiencies, touches it not. Where, then, is it found? It must be sought for in principle, in analogy in the natural rights of man, it must be gleaned from the wide and boundless field of colonial history.

But I am told they are embodied and expressed in the 18th. Geo. III [13] — that act which is called the charter of our liberties. What, Sir, were the circumstances that created that act? Previous

[12] See above, 50, foot-note.

[13] An act renouncing the right of the British Parliament to levy taxes or duties in the colonies, except those regulating foreign commerce.

to the American Revolution, Mr. Grenville, a minister of the English crown, conceived that those colonies which had been established and maintained at such an expense, which possessed so large a population and had such valuable resources, ought to contribute to the revenue of the parent state. 'No!' answered the colonies, it is contrary to the principles of our constitution. The British parliament cannot tax us, we have no voice in its councils, we are not represented in it! Burke, Chatham, and other great men who figured in the annals of that period, defended them on principle. The taxes were imposed, the colonies took to arms, and the result is known. During the time of that struggle the act above alluded to was passed, and secured to the colonies, who still maintained their allegiance to the parent state, the net proceeds of duties to be in future imposed, except those which existed previous to that period, and which were necessary for the regulation of foreign commerce. Now, Sir, while I read that act, and see all the privileges it confers upon us, as an honest man I say at the same time I am bound not to interfere with the rights it reserves to them. What! Sir, is it contended that we have the power of regulating our foreign commerce, and that we are to have the payment of the officers? Sir, it is absurd. There must be a supreme power somewhere — it is as necessary for the unanimity as for the safety and strength of the kingdom. That power must be in the centre — in the heart of the empire — in Great Britain. There, a perfect acquaintance must exist of the trade and the resources of those numerous dependencies, which are so wide and expansive, that the sun never sets upon them, that the commerce of the kingdom may be regulated on one extensive and general scale. To us belongs the right of regulating all internal affairs — but to that power belongs the right of regulating our foreign relations. . . .

What then, Sir, has been really done? We paid before £16,000 per annum in the shape of fees; we are now to pay only £7,000 in the shape of salaries. And is it this, Sir, which the learned gentleman represents as so intolerable a grievance? Is it for this that he would desire to arouse us against the parent state? This! which is not the imposition of a new tax, but the modification of an old one, and a modification which materially operates to our benefit. . . . You complained of your fees, and they removed the Naval Officer. You complained of the Fat Porter at the Customs House, and they have relieved you of his exactions also; but

surely this House will not contend that we are not bound to support him; and that in future he must depend for his living, his salary, from England, the owner of our highway of commerce.

But, Mr. Speaker, while we bluster about our rights and cry up this imposition of the Custom House salaries as an evil not to be endured, proclaim this fact aloud, tell it on the house tops, and let the people of Nova Scotia pause, consider upon and revolve it. Our imports at the present moment exceed our imports in the vast sum of £280,000. How, Sir, is this vast debt paid? . . . Whence, I ask, Sir, does this province derive it? From the expenditure of the government; from the pay of the troops and officers; from the salaries of your bishop and clergy; from the drafts of charitable institutions.

But, Mr. Speaker, allow me to illustrate this by a plain, simple allegory. Here I am settled in Nova Scotia. Well, there is a fine strong-hearted old buck, called John Bull, comes across the water to pay me a visit. He walks across my field, knocks at my door, and I receive him into my house. He takes a fancy to me and gives me £280,000. What an enormous sum, thinks I — how grateful I must be to my old, generous, good, kind benefactor. However, I chance to go to a lawyer in Halifax and he tells me that the old gentleman had committed a trespass upon me — he had no right to cross my field — the field was mine and it was a trespass *vi et armis* — a trespass *quare clausam fregit*. When I next meet the old gentleman I tell him, 'Sir, I am much obliged to you for your gift, I feel truly grateful, indeed I do, but you had no right to cross my field.' I compliment him on his good looks — tell him he has a powerful arm — the arm of a giant — and a marvellous constitution, the best constitution in the whole world. 'But still you have not the right to cross my field. Truly, Mr. Bull!' — he was well called John *Bull* — 'You are a salacious old man, and you do get children prodigiously fast, faster than you can maintain them. They come here half fed, half clothed, and your good old lady, God bless her! She wears well, but she is very prolific. She breeds fast; she has had an immense family. How many brats she has to suckle! With so many children, so involved as you are, so much in debt, £280,000 is a monstrous sum to give me, indeed it is — But mind you had no right to cross my field, and next time you do, I'll go to law with you. I am grateful, however, indeed I am. Walk in, my secretary Mr. Assembly shall give you a receipt — He is a troublesome fellow.

I dismiss him every seven years regularly, often in less time. He has 41 different tempers. He will give you a receipt — £280,000 is a great sum, but you had no right to cross that field, you should have knocked at the gate and asked leave. Now we who have crossed the Atlantic have many of your good qualities, but we want your generosity. There was now your oldest son, our brother Jonathan, a long, tall, *rigular* Yankee, who after he came of age lifted his hand and struck you. We know you have the power, and we trust some day you will be willing to punish him for his impunity, but in the meantime we resolve that we feel particularly grateful for your kindness — but then you have no right to cross our field. You ought to have come to the gate first and asked permission; but we'll remember your kindness — till death — not till death — till — till — till — the next time. (During the delivery of this paragraph the House was convulsed with laughter.) [14]

Now, Mr. Speaker, this is just the question before the House. Allowing the government to have the right of regulating our foreign commerce, as is granted in our charter, is it right, is it honest, to attempt to wrest it from them. Sir, it may be advocated to please a popular whim; but I shall never trim my ship in pursuit of so vacillating a possession. I come here to legislate upon constitutional principles, and if we adopted the resolution before the House, I should regard my conduct as ungrateful, unmanly, and *base!* . . ." [15]

Haliburton's levity, and its resultant disastrous effect on the gravity of the House, did not pass uncriticized. Mr. Alexander Stewart, member from Cumberland, who on other occasions also was ready to take Haliburton to task, was moved to remark that "he could not hope to deliver himself . . . in the lively manner of his learned friend from Annapolis — but he could not help saying that he had never seen a greater perversion of eminent talents than had been displayed by the latter [Haliburton], for

[14] Beamish Murdoch, Haliburton's colleague in the House, corroborates this interpolation of the reporter. See his *Hist. N. S.*, III, 569.

[15] *Novascotian,* Feb. 24, and Supplement dated March 1, 1827.

he had seemed to think that a grave constitutional question in which their dearest rights and interests were involved was not to be settled by reasoning, but by fun and jocularity." [16] Nor did the more serious portions of this speech escape correction. Mr. Fairbanks, and Mr. William Lawson, another member from Halifax, were quick to detect errors in Haliburton's figures, and their combined attack put him upon the defensive. His attempt to retrieve himself is no longer of particular interest save for its exhibition of a regrettable and frequently recurring tendency to depreciate Nova Scotia, and to rhapsodize unduly over whatever was English, a tendency of Haliburton's then and later, distasteful to his fellow colonials:

"It would be well [he said] to consider who we were and where we were. We were the little people of the little province of Nova Scotia; with a little legislature to govern us. We had a little limited jurisdiction, and if we kept within our proper bounds we might be rendered a useful and even respectable body; [17] but if we went beyond those limits and attempted to infringe upon the rights of Parliament or the Royal prerogative, we should render ourselves ridiculous and contemptible, and thus defeat the purposes for which we were assembled. [Here followed a humorous illustration of the effects produced on strangers by the French peasant's habit of walking on stilts.] The learned gentleman [Mr. Fairbanks] had got on stilts also; and he hoped he might reach the ground on his feet without a fall. Did he think the thunder of his voice was to reach across the Atlantic, strike terror into the Treasury Bench, and that a Cabinet council would be called to take steps to defend the nation. For his own part, he knew when they saw these high flown resolutions, and heard the great stand the Nova Scotia Hampdens were making, they would be convulsed with laughter . . . they would say the good people of Nova Scotia had got their heads turned — that, in fact, they had mounted the stilts also.

[16] *Novascotian,* Supplement Mar. 1, 1827.

[17] This passage was used in a jest at Haliburton's expense in "The Club," *Novascotian,* Aug. 11, 1831.

He had heard, for the first time, a distinction drawn between a native and an Englishman, in the allusion to the member from Sydney.[18] It was the first time that the name of Englishman had been cast back as a reproach. He was sorry to hear it — it was a sign that boded no good. So far from entertaining such a feeling, he was proud to see that gentleman, who was a scholar and a man of integrity, in that Assembly. He wished to God that a few more such Englishmen would emigrate here, and some of our would-be patriots transported in their room. The learned gentleman had stated that he had no relations in England, had no ties to it, no friends in office. He too, could say that he had no relations there, but when he touched its shores he felt he had arrived at his father's house, at the cradle and grave of his ancestors, at the old mansion which with the honours had descended to the oldest brother; and he could feel a generous pride that all the great men assembled at last side by side in the great monumental Abbey of Westminster, that the glorious and immortal band of heroes, poets, orators, statesmen, patriots, had all sprung from the same family, and although a colonist, that the splendour of their flame cast a ray over him. . . . The Honorable Collector's sin and offence at Halifax it appeared was that he was a foreigner and an Englishman. We have been told that the appointment should be given to a native. What a popular theme, what a delightful idea, to a native!"[19]

Mr. Stewart, with better reason for resentment than before, rose to reply:

". . . he would indeed be thankful to Heaven if the powers of eloquence which had just been displayed had been bestowed upon him; but he thanked God he had not the prostrate spirit which seemed to animate the speaker. 'Where, Sir,' the learned gentleman continued, 'has he been taught the slavish principles which he has this day advocated, with a zeal and energy and eloquence worthy of a better cause. I ask him to tell me if he is prepared to teach his children, as their opening faculties enable them to

[18] Both members from Sydney, Messrs. Thomas Dickson and John Young, had opposed the resolution. Haliburton's allusion was probably to the latter.

[19] *Novascotian* Supplement, Mar. 1, 1827.

appreciate the sentiments, that in truth they are but the bastards of Englishmen. Will he so tell his constituents, who sent him here not to betray but to support their rights and privileges? . . . Sir, when the emigrants from Massachusetts came to this country they were promised by Governor Lawrence's proclamation, that the political privileges which belonged to the New England colonies should be assured to them. Sir, this was published in 1758, and I am surprised that in the honourable gentleman's historical researches this has escaped him!'"

After a four days' debate the following Haliburton was able to muster in opposition to the Customs remonstrance was outvoted. Mr. Fairbanks' resolution passed, and another address went forward to Downing Street to swell the accumulation of unheeded evidence there as to the true state of colonial feeling. *The Novascotian's* comment on this extravagant waste of oratory is worth recording, though not because it reveals any appreciation of the true significance of the incident:

". . . but this we will say, that the question was nobly argued; and that many of the speeches, in the elegant and animated manner in which they were delivered, and in the historical research and power of reasoning which they exhibited, would have done honor to any Legislative Assembly."

Nova Scotia's "Thunderer" had yet to report much "elegant and animated" legislative speech-making before it awakened to its purpose of reform.

The next occasion on which Haliburton addressed the House at length found him as eloquent in the cause of popular rights as he had been before in defense of the Royal prerogative. A petition from the Catholics of Nova Scotia had been presented asking for the removal of the declaration against popery and trans-substantiation from the Assembly oath, an unjust disability under which they still labored. Mr. R. J. Uniacke, Jr., one of Haliburton's contemporaries at King's, then member from Cape Breton,

took advantage of the opportunity thus presented to move for an address to the Throne praying that the request of the petitioners be granted. Haliburton in seconding the motion delivered what is probably his most famous oration, a brilliant outburst of rhetoric, said to have so enthralled Joseph Howe, then reporting in the House for *The Novascotian,* that he forgot his note-taking and gave himself up wholly to the joy of listening.[20] It was, of course, like most oratory of the day, a product of the inflated school, but compared with some of the less mature efforts of much better known orators of the time it holds its own very well as a beginner's declamation. Unhappily for Haliburton's reputation, he set for himself a standard at the commencement of his oratorical career, as he did at the outset of various others of his ventures, upon which he rarely, if ever, improved. As a piece of elocution his plea for the repeal of the Test Act may yet have its interest, but apart from its historic significance as marking a step towards religious liberty taken in a colony two years in advance of the motherland, its worth as a parliamentary address is now negligible. Its tribute to Abbé Segogne makes it, of course, a valued memorial to that estimable man, and because of that tribute, to Haliburton himself. And its earnest championing of Catholic claims was unquestionably generous, though, to be frank, Haliburton does not altogether escape the suspicion that he was inspired quite as much by the votes as by the interests of his French Acadian constituents. The more memorable parts of the speech have long been familiar in the form preserved by Murdoch: [21]

> Mr. Haliburton said that he seconded the resolution which had just been read; but before he entered into the discussion, he

[20] Campbell, *Nova Scotia,* 334. [21] *Hist. N. S.,* III, 573 ff.

begged leave to remark upon the peculiar and delicate manner in which the petition had been introduced into the house. Although he was the representative of a very numerous body of catholics — had been in habits of intimacy for many years with their venerable and respectable pastor the Abbé Segogne, yet neither he or they had ever intimated their wishes to him; and that his old friend Mr. Carroll, whose name stood at the head of the petition, had also left him to the unbiassed exercise of his own judgment. He had never seen or heard of the petition which had been presented, until he saw it in that house. This delicate treatment made a strong impression on his mind, and he declared before God and that house, that he verily believed if his religious prejudices had prevented him from voting in favor of the resolution, Mr. Segogne would, on his return, receive him with the same friendly feeling and the same affection with which he had always honored him. He was proud to make the acknowledgement, for he stood there the unsolicited and voluntary friend and advocate of the catholics. In considering this question he should set out with stating that every man had a right to participate in the civil government of that country of which he was a member, without the imposition of any test oath, unless such restriction was necessary to the safety of that government; and if that was conceded, it would follow they should be removed from the catholics, unless their necessity could be proved as it applied to them. He stated that the religion which they profess was called catholic, because it was at one time the universal religion of the christian world, and that the bishop of Rome, from being the spiritual head of it, was called pope, which signified father. (He here entered into a minute examination of the origin of the temporal power of the pope — shewed its connection with the feudal system, and traced it to the time of Henry 8th, who severed the temporal and spiritual power from foreign Prelates.) He said that in subsequent times it had been thought necessary to impose test oaths, lest the catholics, who were the most numerous body, might restore the ancient order of things, and particularly as there was danger of a catholic succession; but when the Stuart race became extinct, the test oaths should have been buried with the last of that unfortunate family. Whatever might be the effect of emancipation in Great Britain, here there was not the slightest pretension for continuing restrictions; for if the whole house and all the council were catholics, it would be impossible to alter the constitution — the

governor was appointed by the King, and not by the people, and no act could pass without his consent. What was the reason that protestants and catholics in this country mingled in the same social circle and lived in such perfect harmony? How was it that the catholic mourned his protestant friend in death, whom he had loved in life — put his hand to the bier — followed his mortal remains to their last abode, and mingled his tears with the dust that covered him? While in Great Britain there was an evident hostility of feeling, and the cause must be sought in something beyond the mere difference of religion. The state of Ireland afforded a most melancholy spectacle: the catholic, while he was bound in duty — while he was led by inclination, to support his priest, was compelled by law to pay tythes to the protestant rector; there were churches without congregations — pastors without flocks, and bishops with immense revenues without any duty to perform; they must be something more or less than men to bear all this unmoved — they felt and they murmured; while on the other hand the protestants kept up an incessant clamor against them that they were bad people. The property of the catholic church had passed into the hands of the protestant clergy — the glebes — the tythes — the domains of the monasteries — who could behold those monasteries still venerable in their ruins, without regret? The abodes of science — of charity and hospitality, where the wayworn pilgrim and the weary traveller reposed their limbs, and partook of the hospitable cheer; where the poor received their daily food, and in the gratitude of their hearts implored blessings on the good and pious men who fed them; where learning held its court, and science waved its torch amid the gloom of barbarity and ignorance. Allow me, Mr. Speaker, to stray, as I have often done, in years gone by, for hours and for days amidst those ruins, and tell me (for you, too, have paused to view the desolate scene), did you not, as you passed through those tesselated courts and grass-grown pavements, catch the faint sounds of the slow and solemn march of the holy procession? Did you not seem to hear the evening chime fling its soft and melancholy music o'er the still sequestered vale, or hear the seraph choir pour its full tide of song through the long protracted aisle, or along the high and arched roof? Did not the mouldering column — the Gothic arch — the riven wall and the ivied turret, while they drew the unbidden sigh at the work of the spoiler, claim the tribute of a tear to the memory of the great and good men who founded

them? It was said that catholics were unfriendly to civil liberty; but that, like many other aspersions cast upon them, was false! Who created magna charta? Who established judges, trial by jury, magistrates, sheriffs. &c.? Catholics! To that caluminated people we were indebted for all that we most boasted of. Were they not brave and loyal? Ask the verdant sods of Chrystler's farm, ask Chateauguay, ask Queenston heights, and they will tell you they cover catholic valor and catholic loyalty — the heroes who fell in the cause of their country! Here, where there was no cause of division — no property in dispute, their feelings had full scope. We found them good subjects and good friends. Friendship was natural to the heart of man, as the ivy seeks the oak and clings to its stalk, and embraces its stem, and encircles its limbs in beautiful festoons, and wild luxuriance; and aspires to its top, and waves its tendrils above it as a banner, in triumph of having conquered the king of the forest. Look at the township of Clare; — it was a beautiful sight; a whole people having the same customs, speaking the same language, and uniting in the same religion. It was a sight worthy the admiration of man and the approbation of God. Look at their worthy pastor, the Abbé Segogne: see him at sunrise, with his little flock around him, returning thanks to the giver of all good things; follow him to the bed of sickness: see him pouring the balm of consolation into the wounds of the afflicted, — into his field, where he was setting an example of industry to his people, — into his closet, where he was instructing the innocence of youth, — into the chapel, and you would see the savage, rushing from the wilderness with all his wild and ungovernable passions upon him, standing subdued and awed in the presence of the holy man! You would hear him tell him to discern his God in the stillness and solitude of the forest — in the roar of the cataract — in the order and splendor of the planetary system, and in the diurnal change of night and day. That savage forgets not to thank his God that the white man has taught him the light of revelation in the dialect of the Indian. (He then entered into a detailed account of the removal of the French Acadians, too lengthy for insertion), and continued, as the representative of the descendants of these people, he asked not for the removal of the restrictions as a favour; he would not accept it from their commiseration — he demanded it from their justice. He concluded by saying — "Every man who lays his hand on the New Testament, and says that it is his book of faith, whether he be catholic or

protestant, churchman or dissenter, baptist or methodist, however much we may differ in doctrinal points, he is my brother, and I embrace him. We all travel by different roads to the same God. In that path which I pursue, should I meet a catholic, I salute him — I journey with him; and when we shall arrive at the *flammantia limina mundi* — when that time shall come, as come it must — when the tongue that now speaks shall moulder and decay — when the lungs that now breathe the genial air of Heaven shall refuse me their office — when these earthly vestments shall sink into the bosom of their mother earth, and be ready to mingle with the clods of the valley, I will, with that catholic, take a longing, lingering, retrospective view. I will kneel with him; and instead of saying, in the words of the presumptuous Pharisee, 'thank God I am not like this papist,' I will pray that, as kindred, we may be equally forgiven: that as brothers, we may be both received."

Though the motion which Haliburton thus lengthily seconded passed the House unanimously, neither the good cause which the address defended nor its grandiloquent flights served to protect it from the strictures of Mr. Stewart who objected to its "ill timed zeal and injudicious observations." [22] A defender was not lacking to Haliburton on this occasion, however, for Beamish Murdoch, the historian, then member for Halifax, responded that,

"... he deemed it no loss of time to sit and hear the two eloquent addresses which had been delivered by the learned gentlemen from Cape Breton and from Annapolis. The latter he always listened to with peculiar pleasure, for he had at once instructed and charmed him. His speech of that day, however, was surprisingly beautiful, for it had exhibited a mind stored with the treasures of history ... it breathed an eloquence which came from the heart, and it contained sentiments, so just and honour-

[22] A charge repeated in part by Sir Charles Townshend, "Life of Honorable Alexander Stewart," *Trans. N. S. Hist. Soc.*, XV, 21. The portions objected to occur in the passage on the expulsion of the Acadians, omitted by Murdoch, but in effect given by Haliburton in his History of Nova Scotia. See below, 137–139.

able in themselves, that while they whispered a caution to the young, they were capable of imparting a lesson to the old." [23]

And Murdoch, writing forty years later, recalled this speech as " the most splendid piece of declamation that it has ever been my fortune to listen to." He also recorded at the same time the impressions made upon him by Haliburton as a member of the House of Assembly, and further recollections of this famous effort:

" Mr. Haliburton was then in the prime of life and vigour, both mental and physical. The healthy air of country life in his native Windsor had given him a robust appearance, though his figure was yet slender and graceful. He had, in addition, all the advantages that an education at King's College could bestow, or the society and training of his highly intelligent parent gave him. . . . As an orator, his attitude and manner were extremely impressive, earnest and dignified; and although the strong propensity of his mind to wit and humor were often apparent, they seldom detracted from the seriousness of his language when the subject under discussion was important. Although he sometimes exhibited rather more *hauteur* in his tone than was agreeable, yet his wit was usually kind and playful. On this occasion he absolutely entranced his audience with the corruscations of genius playing with the classic and historic imagery, and appealing to the kindest feelings of humanity. He was not remarkable for readiness of reply in debate; but when he had time to prepare his ideas and language, he was almost always sure to make an impression on his hearers." [24]

It is probable that Murdoch's statements in regard to Haliburton's lack of readiness in debate stand in need of revision. Certainly Haliburton was ready enough with impromptu eloquence and jest, both in the House and afterwards on the Bench.

Less than two weeks after his eloquent support of Mr. Uniacke, in defense of popular rights, Haliburton was

[23] *Novascotian,* Supplement, Mar. 1, 1827.
[24] *Hist. N. S.,* III, 577, 578.

again before the House equally eloquent in opposing his colleague, and in denial of popular rights. The member from Cape Breton had introduced a bill for relieving debtors from unjust arrest and imprisonment. Haliburton in announcing his intention to vote against it declared,

". . . that if the House would pass that bill it would break down the pillar of good faith upon which society rested. There was one grand distinction which had formed itself in his own mind, and by which he intended to regulate his legislative conduct, that all the minor features of the laws, such as those that were intended for the erection of schools, for the encouragement of agriculture, &c., and for the regulation of commerce might be modified according to circumstances; but those great leading principles of the law which had come down to us from remote antiquity, and which were stamped with the sacred seal of experience ought never to be touched. The system of English jurisdiction was one of the noblest structures which the wisdom of man had ever been able to rear, and when he looked at its beautiful proportions and recollected that our forefathers lived and flurished under it, he did not like to see its foundations shaken. . . ." [25]

Even his best friends were disappointed at his stand against this measure, Mr. Murdoch saying on the floor of the House that though he had listened ". . . with delight to the highly adorned eloquence with which his learned friend from Annapolis had on a former day defended the rights and stated the sufferings of his fellow men, he regretted to see that eloquence, which like a polished sword might have its keen edge used for good or ill, now brought into the lists to support principles at variance with humanity. . . ." [25]

But Haliburton had by no means abandoned the cause of the masses. Within a week he was defying the venerables of Halifax who had petitioned for an act for the

[25] *Novascotian,* Mar. 8, 1827.

better observance of the Sabbath and the prevention of the sale of all articles on the Lord's day, except milk and fish.

"It is aimed," Haliburton dared say of the petition, "at the poor and helpless. The rich have always advocates. They are freeholders, they own the property and soil of the country — it was they who had sent them there — the poor were not represented, but while he had the honour of a seat in that Assembly he should ever raise his voice against any measure which would tend to their oppression. The purchasing of vegetables and meat on the morning of the Lord's day, by a labourer who perhaps had not received his earnings till late on Saturday evening, was not Sabbath breaking. Let them adjourn to St. Paul's in the course of the forenoon, and they would perceive the reality of Sabbath breaking, by those who were crowding to Church. There they would see the stately equipage, with the pampered menial, dashing to the door of the House of God in all the mock majesty of earthly greatness. Names were to him no authority — he cared not who signed the petition, he read and judged for himself. If the rich wished a reformation to be made, they began at the wrong end. Let them walk to church and leave their carriages at home; let them set no joints down to roast; let retrenchment and a cessation from labour be the order of the day in the culinary part of their own establishments before they took high-handed measures against the poor. He looked upon it as a petition from the saints, and he might be esteemed a sinner for opposing it, but still he must do his duty. . . ." [26]

By his resistance, a week later, to the appointment of an inspecting field officer for Cape Breton, and his characterization of the whole militia system as a humbug, Haliburton went still further in his defiance of the provincial pillars of society and, besides putting himself squarely in opposition to even so autocratic an authority as that of the all-powerful Council, threatened by his stand thus taken to deprive that arbitrary body of some of its most esteemed

[26] *Ibid.* Mar. 15, 1827.

bits of patronage. What made his fault the more unforgiveable was that he not only employed ridicule in making his points, but, when scored for its use, defended it, asserting that the mock-gravity of his opponents was the more ridiculous.[27] But Haliburton's first really sensational opposition to the Council grew out of its disallowance of a bill for the support of common schools, reported to the House by a committee on which he served as the chairman. The school question dispute, like the debate on Custom House salaries, had had its origin in the preceding House of Assembly. In accordance with the expressed or understood desires of the Governor and Council that House had enacted legislation providing by direct taxation for a system of common schools. It was a measure wise enough in its theory, but thirty years in advance of any possible practical application. Its result upon provincial education had been so negligible, and its provisions so unpopular with the people generally, that Haliburton and many of his fellow members had come to the new Assembly resolved on its repeal, and on the reenactment of a system of local voluntary contribution in support of schools, supplemented by provincial aid. As chairman of the committee appointed to draw up the necessary bill, he had introduced a measure calling, among other items, for the appropriation of £3000 annually, to be given in varying amounts from £5 to £20 to districts unable to support schools from their own funds.[28] Haliburton's bill had promptly passed the House only to meet with a summary rejection by the Council. With the announcement of its rejection there came a request for the concurrence of the Assembly to two bills originated in the upper House, one for the regulation of juries, the other for the regulation

[27] *Ibid.*, Supplement, Mar. 15 1827.
[28] *Ibid.*, Mar. 22, 1827.

of contested elections, matters which the lower House felt were its own particular concern.

"When the title of the latter bill was read, a very warm and violent debate followed. Charges were distinctly made by Messrs. Uniacke, Haliburton, and Murdoch, against the Council both of a wish to insult the House, and to encroach upon their privileges. The two important bills to which they had expressed their dissent [29] had only been sent up that morning, and could not have remained with them above two hours. No conference had been asked, no explanations demanded. The rejection of the school bill in this abrupt manner — a bill which the House had prepared with so much care, and upon which they had spent so much time — was a violation of all the courtesy due from one branch of the Legislature to the other, and showed an evident disregard to the wishes of the House. A motion was pressed by Messrs. Uniacke and Murdoch that the bill sent down to repeal the law of elections should be instantly thrown under the table; but milder and more moderate counsels prevailed." [30]

But upon the matter of the school bill Haliburton was not to be denied. Word of its disallowance had been received in the House on a Saturday. On the following Monday he was ready in his place with another, practically a duplicate of the one just refused. In the course of his remarks introducing his new bill he delivered himself of his most scornful attack on the Council, and attained a notoriety compared with which any degree of publicity he may have won previously was mild indeed:

"I rise, Sir, to request leave to introduce a bill entitled, — 'An act to aid the exertions of poor people in supporting Common Schools.' It is very similar to the one which I introduced on a former day, and which was rejected by His Majesty's Council.

[29] The second bill dissented to was one to incorporate the proprietors of the new public school house at Kentville. Assembly *Journals*, Mar. 24, 1827.

[30] *Novascotian*, Mar. 29, 1827.

It differs only in title, and in its term of duration, which is for three, instead of five years, but in other respects is substantially the same. As it is probable it will pass without discussion, I wish the indulgence of the House, while I make a few remarks on this interesting subject,—I cannot, Sir, find language to express the regret I feel at the failure of that bill, and that regret is still further increased, and my sorrow rendered more poignant, by the uncourteous and uncivil manner in which it has been returned to us. It has always been customary, on bills of importance or of interest to request a conference, and to state the grounds of objection, previous to their disallowance,—a practice tending to promote harmony and good feeling between the different branches of the Legislature, legitimate as respects Parliamentary usage, and founded on those courtesies which regulate the intercourse of gentlemen in society. In this case it has been omitted, and I must say I think it a mark of disrespect. We are now totally at a loss to conjecture whether they disapprove of the principle of the bill, of the scale of appropriation, or of its various provisions. They have retained it hardly long enough to read it, and it has returned on the very heels of the clerk who took it up to them. The voice of the people on this subject was loud and plain, from one end of the Province to the other — the experiment of assessment had been tried and wholly failed and they asked for pecuniary aid. They are entitled to be heard and as long as I have a seat in this House I will never cease to enforce their claims. They are the consumers of dutiable articles, they pay the taxes, they furnish the revenue, and they have a right to an appropriation for their benefit. It is a source of grief to think how often they have been refused.—They have again and again supplicated aid and have been uniformly denied.—They have preferred their petitions to this House, and their prayer to Heaven that they might be answered, but they have always met with a cold unfeeling refusal. It is astonishing to all how unceremoniously they have been denied this little paltry pittance of £3,000 while large sums of money are constantly spent upon subjects of little or no importance—to me it is particularly painful, for it is a subject which I have nearest to my heart, and am deeply interested in. I have been born and brought up in the country, am intimately acquainted with the wants of the people, and am solicitous of rendering them all the assistance in my power. If sighs were not unavailing and tears unmanly, I could positively weep over this

deceased bill, as the clerk carries it out to bury it among the records of the House. There is however a spirit more becoming, and I trust more availing — a spirit of resistance, a determination not to be put down, which if persisted in, must succeed. The people have a right to be heard and they shall be heard. We have this year unfortunately passed our revenue bills, but never again will I consent to them without a clause providing for schools, and if they must fall, let them fall together.[31] Let us alter its title and call it a bill to raise a revenue for schools, and let it contain a specific provision for them. We may be baffled this session, but never, never shall we be baffled again. I find it difficult to repress my feeling into decorum on this subject. I will now relate to you a most singular and extraordinary incident which befell this bill. You may think I am borrowing from my imagination, you may think the scene I am going to describe is drawn from fancy, you may, however, place that credence in it you think proper — I shall not indulge in personalities, I shall name no one, but if there be one out of this House, who upon drawing upon his head the cap, thinks it was intended for him, and that it is well fitted, he is at liberty to wear it — '*qui vult capere, capiat.*' I shall merely relate the fact and then tell me if it is not a strange and wonderful coincidence. There is, Sir, a small circle of respectable people in this place, who assemble every year to converse upon politics. They move in a fashionable circle, they are looked up to with deference and respect, and their opinions carry great weight. — How justly you shall judge. They consist of twelve dignified, deep read, pensioned, old ladies, but filled with prejudices and whims like all other antiquated spinsters.

[31] It was Haliburton's contention that an appropriation bill could not be accepted by the Council in part, but must be approved or rejected as a whole. Upon this point of constitutionality a pamphlet was written in reply to his view entitled, *Observations — Upon . . . His Majesty's Council . . . with a few remarks upon . . . Pictou Academy,* Halifax, 1828. The pamphleteer, now known to be Sir Brenton Halliburton (see above, 49), besides giving a serious consideration to the question at issue, ridicules and parodies the manner of oratory used in the Assembly to uphold the popular side of the controversy, and clearly has Haliburton himself in mind when he says, "Othello himself could not spout more finely." (17)

They are the Sybilline oracles of Nova Scotia, and as everyone consults them, I too went to their board of green cloth, to ask their opinion of my school bill. Two thirds of them have never been beyond Sackville Bridge,[32] and think all the world is contained within the narrow precincts of Halifax. Two or three of the younger sisters indulge in a ride on the post road every summer, into the country, and have acquired the names of the villages and the inn-keepers, but that is the extent of their knowledge. They then return to town, talk sagely of roads and bridges, agriculture, rural affairs and common schools. They are looked upon as walking gazetteers, and living directories. I found them all assembled in state, looking so solemn, so wise, and so important, that I was struck with awe at so much female wisdom. I showed them the school bill and asked their opinion and advice — Judge of my astonishment when they refused to read it and rejected it upon reading its title. One of the old ladies who was dressed in black, whom the rest called their 'Learned Friend' tho' not very conversant with her Bible, told me she had read of 'the blind leading the blind' and saw no objection to the 'poor teaching the poor,' or in other words the poor being taxed for the support of the destitute — that if education was not worth purchasing it was not worth having, and that the poor would never know its value until they had ascertained its price. Another had the modesty to say she had heard that Nova Scotia had a fertile soil and a beautiful climate, and that it was impossible there could be any poor in the country, that if there were any, there was a poor house at Halifax where they might be sent, where they would not long continue a burden, for a sort of jail-fever had broken out there, which was daily diminishing their numbers — and a third said that tho' it was forty years since she had visited the country, yet she had learned enough to know that to educate the lower orders, was to injure their morals and manners, that the people should be divided into two classes the high and the low, and that it reminded her of two birds in the West Indies the *booby* and the *fish-hawk:* that the booby was a plodding, laborious bird, answering to our poor, that it went off to sea in search for food, and that the fish-hawk, a superior bird, answering to our rich people, sat quietly on the shore, watching its neighbour's progress; and as soon as it saw the booby returning with a fish

[32] The northern limits of Halifax.

it pounced on it, took it away, and eat it up — that this was pure nature, and offered a good lesson to mankind. Many similar observations were offered by others — two ladies did ask to hear the bill read, and observed that it might contain some good — but their voices were lost amidst the coughs and uproar of the rest. When I complained of this extraordinary conduct, they threw the bill in my face, and shut the door upon me. Such, Sir, was my reception, at what I call the hospital of invalids. I never liked petticoat government, and this completed my distaste to it. I must say I have a poor opinion of their good breeding, their good sense and their humanity. — I mention this, Sir, to show you what a wonderful coincidence there was between the rejection it was honored with from these old women of Halifax, and the hasty dissent it received from the upper House. Let no one suppose that anything disrespectful is intended by the allusion, or that 'Tabulis mutatis de te fabula narratur.'

I am wholly at a loss to know upon what ground His Majesty's Council dissented to this bill; and I must again repeat my regret that there was no conference — was it that they thought we could not afford the sum required — that it could not be. . . . I must suppose that it arose from their belief that assessment was a preferable mode. . . . . On this subject I am anxious to reconvey to them our sentiments, to assure them assessment is impracticable, opposite to the feelings of the people, and ill suited to the state of the country. We are in duty bound to make the attempt a second time. I am convinced the appeal will not be made in vain, and whatever determination they may make, it will at all events be satisfactory to us to know we have done our duty to our constituents. Let us try it again and hope for the best, and if we shall fail, if this bill come back again disagreed to, we shall know what course to take next winter, and I trust we shall not be wanting in firmness to carry our determination into effect." [33]

Four days later the full report of this speech appeared in *The Novascotian.*

The Council was scandalized. Dignified indifference was impossible. With what promptness was fitting, six ponderous and unanimous resolutions citing many "gross misstatements" were drawn up and sent to the House

[33] *Novascotian,* Supplement, Mar. 29, 1827.

with a "solemn message" [34] pointing out that if the printer of *The Novascotian* had misreported the debates on the school bill he was amenable to both Houses, but that "if the expressions reported were actually uttered in the course of the debate; . . . the member who uttered them could only be called to account for his conduct in the House of Assembly by the House itself," and that it was both due to the Council and incumbent upon the House to proceed accordingly.[35] Upon the delivery of these pronouncements to the Assembly, Haliburton admitted that the speech as it appeared in print was essentially the same as delivered, and assumed the entire responsibility arising from both its delivery and publication. A committee having been appointed by the House to investigate the affair and bring in a report, a series of resolutions were submitted, expressing regret "that any publication of their debates should have appeared, which His Majesty's Council conceived a gross misstatement of their proceedings, or reflecting in gross terms on that Honorable Board," and stating "that on enquiry into the debates on the school bill, and from an explanation given by the party, the House were fully satisfied that no disrespect was intended, or wilful statements made." [36] The resolutions were subsequently passed and transmitted to the Council. But the Council reported back a "unanimous regret" that the Assembly's resolutions were deemed unsatisfactory, "because they neither disowned the indecorum complained of, nor expressed any disapprobation of it." [37] Interest in the final outcome of this difference between the two branches of the legislature reached its height when

[34] Murdoch, *Hist. N. S.*, III, 579.
[35] Assembly *Journals*, Mar. 31, 1827.
[36] *Ibid.*, Apr. 2, 1827.
[37] *Ibid.*, Apr. 4, 1827.

it became known that Haliburton had peremptorily refused to make any apology.[38] The difficulty was finally resolved, however, with the unanimous adoption of another set of resolutions by the Assembly, characterizing Haliburton's conduct as highly reprehensible, and ordering the Speaker to publicly reprimand him.[39] Haliburton was accordingly called to the Bar of the House and properly censured, and the Council having been notified of the accomplishment of its desires resolved, once again "unanimously," that it would have great pleasure in resuming the business of the session.[40] Prorogation took place shortly afterwards without further prominent participation by Haliburton in the Assembly's deliberations.

As usually related, this incident of Haliburton's public humiliation concludes with the statement that he took so to heart the chagrin and mortification of the affair as to at once abandon his efforts in behalf of popular education, and seek the speediest possible escape from political life.[41] Nothing could be further from the truth. The session of 1828 was barely well under way when Haliburton moved a resolution to the effect that "a committee be appointed to prepare a bill to provide for common schools; and that

[38] *Novascotian,* Apr. 12, 1827.

[39] Murdoch affirms of these resolutions that they "were not in harmony with the opinion of the House, but a tribute to expediency." *Hist. N. S.* III, 580.

"On that occasion [when Haliburton was censured at the Bar of House] the House was forced ['by the power' the Council 'possessed over the revenue and supplies'] to do an act which the learned member from Cumberland declared the other day he would cut his hand off rather than do again." Joseph Howe, *Speeches & Letters,* I, 144.

[40] Assembly *Journals,* Apr. 4, 1827.

[41] F. B. Crofton, in *Canada: an Encyclopedia of the Country,* edited by J. Castell Hopkins, V, 177, 178; Marquis, *Canada and its Provinces,* XII, 539, 542; etc.

the committee be instructed to frame it upon the principle of voluntary contribution, and not on that of assessment." [42] The resolution carried, and the committee it provided for was appointed with Haliburton himself as chairman, as in the case of a similar committee in the last session. Once more he introduced a school bill, substantially the same as that reported in 1827, only to have it, like its predecessors, rejected by the Council, although not until it had been made the subject of several conferences between the two Houses. Thereupon for the fourth time Haliburton brought in a school bill, and by compromising to the extent of naming each school section to be assisted, and specifying the amount to be granted to each, was able at last to force upon the Council an acceptance of what was virtually the principle for which he had so ardently contended.[43]

Meantime he had by no means forsworn his devotion to the constitutional rights of the mother country. During the session of 1828 the Assembly took occasion to protest to the Imperial government against the further imposition of quit rents. These were nominal fees payable to the King by grantees of Crown lands. For years, because their imposition would have been an unreasonable hardship upon the settlers of a new country, their collection had been remitted. But during this session a proposal had been made for their revival. An address to the home government had thereupon been prepared asking for permanent relief from quit rents, on the ground of the inability of the colonists to pay them, though the true ground for the request would have been the inability of the officials to collect them. Haliburton, though he had

[42] *Novascotian,* Feb. 14, 1828.

[43] The bill is printed entire in the *Nova Scotia Royal Gazette,* Apr. 30, 1828.

no more desire to pay quit rent to the Imperial government than the rest of the Nova Scotians, objected to the reason given for the desired relief and vehemently defended the legality of the royal claim. As as amendment to the adoption of the proposed address he moved that since Nova Scotia was able to pay from the provincial funds what the officials could not collect from the people, the government should offer to effect the commutation of all quit rents liable on lots of lands under 1000 acres, and that holders of larger areas should pay their fees of this sort into the colonial rather than into the Imperial treasury. Naturally the amendment failed.[44] Haliburton in supporting it had indulged in a flight of his over-ornate adulation of the munificence and liberality of the imperial authorities, and so had given to his rival, Mr. Stewart, who had proposed the address under consideration, an opportunity to turn the laughter of the House against its then acknowledged chief wit. "I will endeavor," said Mr. Stewart quietly in reply to Haliburton, "to make my way through the beautiful branches, and foliage, and shade, and oaks, and temples, and tombs, of my learned friend, to the question before the House."[45]

The culmination of Haliburton's audacity in legislative warfare during his second session in the Assembly came about in the course of a debate on a bill to permanently endow Pictou Academy.[46] On this occasion he was once more on the side of the people. Pictou Academy had been founded in 1817 by the dissenters of eastern Nova Scotia

[44] See "The Club," *Novascotian* June 5, 1828 for Haliburton's fun with those who outvoted him.

[45] *Novascotian,* Feb. 28, 1828.

[46] It has been often erroneously stated that it was in defense of Pictou Academy that Haliburton called down upon his head the reprimand that followed his speech for the support of common schools in 1827.

as a protest against the exclusion of their children from degree-taking privileges at King's College. It was free from religious tests of any kind, although the Council as a condition of its first grant of public aid to the school had insisted that the trustees should be either Anglicans or Presbyterians, and that their appointment should be subject to its approval. From the beginning the academy had struggled along under the devoted guidance of its founder, the Rev. Dr. Thomas McCulloch, petitioning from time to time for permanent government endowment, to which its friends felt it had quite as much right as the Church of England college at Windsor. To each petition the Assembly had responded by passing a bill in accordance with its request. The Council, however, had persistently refused to make more than annual grants, although in 1826 the bill for permanent assistance had only failed in the upper House by one vote, which, it is said, was cast by the Bishop.[47] As a result of this policy of determined opposition the principal and trustees of the academy had each year to go through the humiliating ordeal of waiting upon the Council to determine the fate of their enterprise. Finally, dissensions over the control of the school between the Free Kirk Seceders and the Church of Scotland sects of Pictou County Presbyterians, gave the Council its desired opportunity to say, as an additional reason for withholding permanent aid, that the academy was not wanted even by its own constituency. From the time of his King's College days Haliburton had seen the evil effects of the ambition of a few narrow-minded Anglicans to control the higher education of his province, and he threw himself with ardor into the cause of Pictou Academy as the most effective manner in which to register his con-

[47] Rev. George Paterson, *A History of the County of Pictou, Nova Scotia*, 340.

tempt for their bigoted interference with an educational experiment undertaken solely to rescue the country from the results of the stupid policy of their predecessors. During the session of 1828 the usual measure for the permanent support of Pictou Academy was reported by the House committee on bills, and Mr. Stewart, leading an anticipatory action [48] for the Council, moved for its rejection in the Assembly. It was then that Haliburton, aroused to the danger threatened by this advance attack, directed as he knew from the upper House, made his still unforgotten and outrageously bold attack on the most sacred personage of His Majesty's Council, the Lord Bishop himself: [49]

"There is much to regret, Sir, in the state of public affairs in this province, and there are few colonies which present such a singular spectacle. There are a few individuals in Halifax, who direct public opinion, and who not only influence but control all public measures. Seated in the capital, they govern the movements of all the different parts; as they touch the springs, the wires move, and simultaneously arise the puppets in the different counties and towns, play the part assigned to them, and re-echo the sounds which have been breathed into them. The smiles of Episcopacy, the frowns of the Treasury, and the patronage of official interest, have a powerful effect, when brought to bear upon any one object. There is also a wide difference between the success of any measure, when called for by the people, and when advocated by this party; any project, however absurd or extravagant, when required by the latter, to be carried into effect, has friends without number, but if the people solicit, it is viewed with caution; you hear it whispered on all sides, it will offend such a person, it will not be acceptable in a certain quarter, and you are advised to be silent, as it may affect your personal interests, or draw down upon you a displeasure, which may retard your own

[48] Assembly *Journals*, Feb. 1828.

[49] The Rev. John Inglis, son of Charles Inglis (see above, 21), the first Bishop of Nova Scotia.

advancement. The war cry of church and state has been raised against this persecuted institution, and it is said on all sides it will militate against the interests of the established church and of King's College at Windsor. If it was founded on hostility to them, I would pause before I gave it my support. I am a member of the Church of England, and admire and revere it, I shall continue so and though I disapprove of the intemperate zeal of some of its friends, I shall live and die a member of that church. I have also the honor of being a graduate of King's College, and am a warm friend of that invaluable establishment. — As such, Sir, if there were any prejudices among the members of either, against the Pictou Academy because it is the resort of the children of dissenters; or if it was viewed by those with distrust, as a sectarian institution, I ought to know something of those prejudices. It is the misfortune of the Church and we all deeply lament it, that one or two unworthy members of it, have sought promotion through the paths of slander, and political intrigue, and have constantly represented dissenters as disloyal and disaffected people. The value of these gentlemen has unfortunately been estimated on the other side of the water, by their zeal; and as they have uniformly reported sectarianism, as they are pleased to call it, synonymous with revolt and rebellion, the dependence of the colony has been absurdly thought to be alone supported, by these staunch friends; and honor and promotion await their laudable exertions. Sir, the members of the Church of England and of the College disclaim any such opinion; the promulgation of it has libelled their good sense as much as it has misrepresented the good feeling of dissenters. — We know, and any man of common sense must know, that we have less, infinitely less to apprehend from the knowledge and enlightened views of dissenters, than from their ignorance and bigotry. It would be saying little either in behalf of education, or of the College, if they dreaded an overthrow, by the diffusion of knowledge, and derived their strength and respectability from the weakness and ignorance of those who were not admitted to a participation of these benefits. Sir, if I were upon terms with the Bishop of Nova Scotia, that would warrant me in offering unsolicited advice upon these subjects, I would address him thus — 'My Lord, as the head of the Church of England, it is your duty, as it ought to be your pride, to promote a friendly and Christian feeling between your flock and dissenters. Seek not any odious distinctions — throw away the contemptible

bone of contention, the paltry advantage of marrying by licence,[50] consent, advise, nay, insist upon their being addressed to ministers of all persuasions. Seek not to be established by law, but to be established in the affections, in the hearts of the people. Suspend such of your clergy as may disgrace the pulpit by open or covert attacks on dissenters. If you wish that the Church of England should be pre-eminent, let your clergy enter into an honorable competition with the ministers of dissenters; let them run the good race and contend for the prize; let them be pre-eminent in virtue — pre-eminent in piety — pre-eminent in learning, and pre-eminent in the discharge of all those christian charities which adorn and dignify the character of a teacher of the gospel; you will then have an established Church of England, which, instead of being viewed with distrust and jealousy, on account of its political advantages, will be honored by the respect and admiration of all classes and sects of people, on account of its christian excellence.'

This, Sir, is the uniform opinion of every liberal-minded man, who belongs to the Church, and I will never consent that this seminary of education for dissenters, shall be crushed to gratify the bigotry of a few individuals in this town, who have originated, fostered, and supported, all the opposition to Pictou Academy. I do not mean to say, that they directly influence those members in this House, who oppose this bill, but their influence reaches to people who are not conscious of it themselves. They are in a situation to give a tone to public opinion; few men take the trouble of forming just conclusions on any subject, and adopt the sentiments of those whose judgments they respect. In this manner they hint, 'ambitious Scotchmen at Pictou,' 'sour sectarians,' 'disloyal people,' 'opposed to church and state'; their hints circulate from one to another — men hear it, they know not where, adopt it, they know not how, and finally give it as their own opinion, until you

[50] The sole right to issue marriage licences in Nova Scotia was at this date still retained by the Anglican clergy, as it had been when Haliburton's father was a member of the House. (See above, 12.) During the discussion of legislation abrogating this right, introduced and passed in the Assembly later in the session of 1828, only to be defeated in the Council, Haliburton supported the cause of the dissenters. Equal privileges in the matter of marriage licensing were not finally secured by all denominations in Nova Scotia until 1834.

find honest and honorable men, as you have heard to-day, pronouncing a judgment, evidently tinctured by the breath of poison, which they themselves are wholly unconscious of having inhaled. Now, Sir, let us turn our attention to the arguments which have been used by the adversaries of the bill; the hon. member who spoke last, observed, that, because the hon. Speaker addressed you in favor of the measure, in an eloquent and able speech, there must be something wrong. I too, Sir, say, that when I hear opposition so warm and heated to a literary institution, and when I find personal ridicule thrown upon the head of it, and the title of Archdeacon applied to Dr. McCulloch, I also think there is something wrong; I hear arguments wholly addressed to our prejudices. We are asked, will you endow an Academy, when there is no provision for common schools; will you educate the children of the rich and abandon the poor? How very kind and considerate! I answer, there is provision for common schools. There is a bill on the table, which I introduced for the purpose by which 4 or 5000 pounds will be appropriated for that purpose. Why did not these gentlemen use the same argument, when the government required the support of inspecting field-officers? Did they tell you then there was no support for common schools? When 5000 pounds were granted to Dalhousie College,[51] did they tell you then, provide first for common schools? Why did not patriotism rise up then and denounce them because this great object was neglected? We are also told that the institution is ruined, because the tutors refuse to admit children who have not read Dilworth and that of course the poor are not benefited by it. Sir, I am surprised to hear this language from some gentlemen who have used it, but I am not at all astonished to hear it from the hon. member from Barrington [Mr. Homer]. When a boy I had acquired a smattering of Greek and flattered myself I could read *Homer*, and understand him, without the aid of Pope or Dacier, but I perceive, Sir, that as I grow old, I grow rusty, I find it difficult to make him out, and am obliged to have frequent recourse to translations and commentaries. But

[51] Founded, in 1821, by the Earl of Dalhousie, Governor of Nova Scotia, as another protest against the attempted monopoly of degree-giving powers by King's College. Situated at Halifax, it was favored by the Council as the lesser of the two dissenting evils when public opinion finally compelled some support of a non-Anglican College. Classes were not commenced at Dalhousie until 1838.

if this ancient author is becoming obscure, the modern Homer is wholly unintelligible; he is so impracticable, that he is altogether beyond my comprehension; he professes himself attached in an extraordinary degree to two objects, 1st. advancement of education, 2nd. encouragement of fisheries, and constantly and uniformly votes against every bill embracing those objects. — The hon. member from Cumberland [52] has made a serious charge against the Trustees, he says they have departed from the original design of this institution, that they stated themselves at first to be emigrants from Scotland, desirous of establishing a seminary in which they could educate their children, on the religious principles of their forefathers, but that they now affect to make common cause with dissenters. This, Sir, is an opinion taken upon trust, it is not a new charge. I heard the same last winter, it was communicated in writing to us, by His Majesty's Council. It is not the case, and I cannot express the indignation I feel, that they should so carefully assert, what they might have found to be unsupported by fact, if they had taken the trouble to search their records. The application to government, contained neither reference to emigration from Scotland, nor to any form of Christian religion, but when the bill came back from the Council, it returned with the declaration ascribed to the question. I only state the fact and leave others to form their opinion of the value of such retentive memories. It was a shackle imposed upon the question by others, in some measure unconnected with the legislature, and now they are told it is deeply impressed upon our memories, that you sought the restriction! What, Sir, was the policy of restriction? It was to classify and arrange dissenters the more easy to keep them down. Let us, say the friends of exclusion, keep the Baptists by themselves, the Methodists by themselves the Seceders from the Kirk by themselves, let them have rival schools, break down any principle of union, and we can take them one by one, when necessary and subdue them; when if united, their combined strength would be too strong for us. But, Sir, if the hon. member from Cumberland, had taken the same pains to investigate other reports connected with the subject, as he has to search for Judge Marshall's speeches [53] against the Academy, he would have discovered the unrelenting spirit of slander and persecution, which has ever pursued this devoted institution, and I think he would have withdrawn his opposition. He would find in one of the reports made to the Society,

[52] Mr. Stewart. [53] See below, 131, 416.

for the propagation of the Gospel in Foreign Parts, the following eulogium on dissenters — '*It can be clearly substantiated that in exact proportion to the influence of the established religion, will be the immovable loyalty of the inhabitants of the province.*' — and it would be difficult to find in public annals such another abominable libel on dissenters; it is said the person who made it, was once your chaplain.[54] Had I been a member of this Assembly at the time, I should have moved to have him publicly censored at the bar of the House; he deserved to have been deprived of his gown, and should have been admonished to 'go and sin no more.' We have been also told, that the opposers of the bill, are willing to grant an annual allowance, but decline to give a permanent endowment. They know but little of the Academical education. Who can suppose you could obtain any person of Dr. McCulloch's literary attainments, to take charge of the institution upon such terms. Can you expect that that old gentleman will condescend to come here yearly, to solicit his salary; to be exposed to have his name unceremoniously handled, by people hostile to the Academy, to continue liable to be suspended in the midst of his useful career, by our caprices; to be told that if a newspaper is published in his parish, he must disclaim connection with it, and that he must be charged as guilty of every act of impropriety at Pictou, until he proves himself innocent? Can you expect that any gentleman will submit to such degradation, or that any institution thus provided for can ever flourish. We are told he gets the enormous sum of £200 per an. Humble as I am, and inferior as I am to him in talent and attainments, neither I nor the hon. member from Cumberland, would give our professional services for double the sum. They say, too, they are friendly to the bill if differently modified: if that be the case, it is singular that instead of passing amending clauses, as is usual in such cases, they content themselves with voting against it altogether. The moment Dalhousie College was established here, it was resolved to destroy Pictou Academy, and to have two Church Establishments, the Kirk of Scotland, and the Church of England, under the control of which all education was to be placed. By a stroke of policy, which betrays the hand of a master, and which none but a man long practiced in intrigue could have conceived — a plan was concocted here,

[54] The Bishop, who had been chaplain of the House previous to his elevation to the bishopric of Nova Scotia.

to set up a few of the high Kirk People at Pictou, to aspire to the government of the Academy and to split these hitherto happy people into two parties — 'Divide et impera' — and now that the Christian Tempter has succeeded in promoting dissensions, both parties are met by the same craftiness, and told with scorn, — 'Gentlemen you quarrel among yourselves, you are divided as to the utility, we cannot support your institution any longer.' So well known is it that this opposition was got up at Halifax and not at Pictou, that one of the gentlemen who signed the petition against the Academy, publicly said, admit more classes, (or in plain English find employment for me) and I have such influence in the Legislature, that I will procure you instead of £400 a year an allowance of £550. It is now so late in the day, Mr. Chairman, I feel it necessary to trespass no further on your time, but I should not have done my duty in giving a silent vote on this interesting subject." [55]

Haliburton continued his attacks upon the unjustifiable and unconstitutional abuse of the Council's powers well into the session of 1829. Even a vice-Regal message failed to stifle his insistence that the Assembly should look to its rights. A communication from the Governor had announced to the House, among other things, an unauthorized expenditure of £3000 " for various good causes," and requested indemnification. Haliburton at once moved that the different items of the expenditure be referred to the appropriate committees " for investigation," and in defense of his somewhat unusual motion said:

" . . . the expenditure of public money by His Majesty's Privy Council, or by their advice, was a subject fraught with danger, most alarming in its consequences, and one that ought to be at once met with a firm and positive opposition by this house. Independent of the unconstitutional disposal of our funds, it was in

[55] *Novascotian,* Mar. 6, 1828. Further proof of Haliburton's fearlessness in attacking intolerance and the Bishop's intriguing policy may be found in his speech on the marriage licence question. See *Novascotian,* Apr. 2, 1828.

the present exceptional shape in which that body was composed, likely to make that body a most formidable one. They are all public officers, with the exception of one country gentleman and a banker, and as self preservation is the first law of nature, it is natural for them to unite in defence, so that the whole influence and patronage of this province can be brought to bear on any point, and if any one be attacked by this house, the power of the whole will be concentrated in his support. . . . As to the influence of such partial expenditures he would say nothing; it could not influence this house, but in future Houses of Assembly it might have an influence — a powerful and dangerous influence, and the better mode was to make an immediate investigation.[56]

In the same session Haliburton continued also to champion Pictou Academy, and it was when aroused to a final appeal on its behalf that he made his most forward-looking and progressive proposal as a legislator, and his nearest approach to the proper solution of the colonial problem, though one that was still a long way from being exactly what the situation demanded. A resolution had been offered for the appointment of a committee to confer with the Council, with instructions to express the Assembly's acquiesence in the views of the upper House as set forth in a bill it had sent down during the last session. By the terms of this bill, Dr. McCulloch, the principal of Pictou Academy, was to be removed from the board of trustees, the board was to be replaced by another appointed by the Governor, and the institution reduced to the level of a grammar school.[57]

"Mr. Haliburton hoped the resolution would be allowed to lie upon the table. He must confess he was a little surprised that men, who had always opposed the Pictou Academy, who had voted against it on every occasion, should now appear to feel so sensitively for its interests, and seem to be afraid that its friends were going

[56] *Novascotian*, Mar. 11, 1829.
[57] Paterson, *Hist. Pictou Co.*, 348.

to let it sleep. After seven bills had passed that House with large majorities, and had been sent down from the Council rejected, it was now to be forced upon them by those who had uniformly opposed it. He was not merely a friend to the Pictou Academy, but a friend to general education, and the rights and interests of dissenters. He wished the resolution might lie on the table, and he also wished that [the] gentlemen would come prepared to resolve themselves into a committee on the general state of [the] province, and to prepare an address to His Majesty, humbly soliciting him to remove from his Council those who filled public offices, or to give the country a legislative council. . . ." [58]

This was nothing short of revolutionary. It was worse: it was democratic. Mr. Stewart, as he himself announced, was astonished, and proceeded in his astonishment to accuse Haliburton of virtual treason:

"The honorable gentleman from Annapolis says we should go into a committee on the general state of the province, and request His Majesty to remove some of the members of the Council; I should not be surprised if he were to propose to have the Councillors elected, to have the Governor elected, and then to hoist the thirteen stripes on the citadel hill." [58]

For once Haliburton was not frightened by the bogey of republicanism. His reply to Mr. Stewart's insinuation was a complete vindication both of the wisdom of his suggestion and of his loyalty:

"He rose," he said, "not for the purpose of speaking on the resolution, but to reply to the extraordinary remarks which had just fallen from the hon. and learned member from Cumberland. When a gentleman, who had either not heard him, or had misunderstood him, could coolly draw such inferences as he had from what he had said, and say that he should not be surprised to hear of such doctrines leading to an elected council, and elective government, and to the introduction of the American standard, in justice to his own character and reputation he must rise to repel such insinuations. I am, Sir, I should have thought, one of the last

[58] *Novascotian*, Mar. 26, 1829.

men, from whose conduct or language such deductions would have been made, and I repel them with the indignation they deserve. I did not propose an elective but a legislative council, and what is there in such a proposition to awaken the fears of the hon. member, or to suggest the idea of the American stars? Will any man say that it is not necessary? Or that it would not be a most desirable amendment of our local government? Will any man say that we the 40 members here assembled from all parts of Nova Scotia, do not bring together a greater body of local and topographical knowledge than any similar number of men residing at Halifax? Or will it be denied that 12 or 14 gentlemen, appointed by the King from different counties in Nova Scotia, to a legislative council, could not better subserve the interests of Nova Scotia, than the same number of people at Halifax? It has been said that this country is a peaceable, quiet country, and is well governed. I admit that it has been a quiet and exemplary province, but, sir, it is owing to the temperance, prudence, good sense, and forbearance of this house, and the morality of the people, for many years past. But as to our local government, the structure and frame of it is essentially defective. Is it possible that any man can assert that where the legislative council consists of the same persons as the privy Council, and the latter is composed of all our public officers, whereby the servants of the public become its masters, that such a form of government is perfect, or that men so situated, unless equal to angels, could in the nature of things give satisfaction? Is it possible to affirm that a council separate and apart from the privy council, but appointed by the King from the country, would not be infinitely preferable? Where is the connection, sir, between this proposition and elective governments, and how can such deductions be fairly made from it? I maintain it, Sir, the state of this country does require us to go into a committee on the general state of the Province. Look, Sir, at the present prostration of every institution of liberal education! Look at the destruction of the Pictou Academy! Look at the rejection of the Annapolis Academy bill, see the determined hostility that exists to education whether liberal or common, unless it has the mark of the pen of the priest upon it, and then tell me the country is well governed. Look at the venerable and aged president of the Academy at Pictou, whose long life has been spent in literature, and whose days of toil and nights of care have borne testimony to his exertions for the education of our youth, persecuted and trodden under foot, scorned,

ridiculed, and traduced, by men too, so much his inferiors in intellectual acquirements. I would ask, sir, one of those men, who was once his friend when his friendship was useful to him, to behold that sad spectacle of a friend, forsaken and borne down to the earth, by persecution, and to lay his hand upon his heart and say whether his conduct was that of a christian man. I would desire him, when he next descants upon universal benevolence and good will to men, to point to this illustration of his doctrine; and when next he prays, as I have heard him pray, for every sect and denomination of christians, to include the dissenters at Pictou, who engross his peculiar care. And should he be asked why his own friend, and the friend of his father's house should be forsaken: let him say, with whining cant, that he still loves and reveres him, but that when he tore the bread from his mouth, his heart reproached him, and he turned his back upon him! There are other men in this town to whom I would apply, but they, alas! have neither head to understand nor heart to feel, and from him and them I would turn to this House and say, consider of this matter and petition the King either to remove the public officers fed and paid by the Province from the Privy Council, or to grant us a legislative council. That there does exist a necessity for this enquiry no man can doubt, who understands the state of our affairs. But I ask again can any man deduce from this opinion, that I desire an elective Government, or that it will lead to the introduction of the American standard, in its consequence. I am not a speculator, Sir, nor a theorist, nor will such propositions as I have made, lead me so far as has been asserted, that at last my own good sense will take alarm. It has no such tendency, nor do I hold any doctrines of that kind, and I will not suffer the imputation! I appeal to all who know me, Sir; I appeal to you and this house for my justification; I appeal to the language I have held on the subjects of the Custom House and Quit Rents, and other questions of Government, for my justification — I say, I deny the inferences and that the hon. Gentleman either did not take the trouble to hear me or misunderstood me, or else he has drawn conclusions altogether unsupported by any thing I have said. Thus much, Sir, I have thought it my duty to say, for I should be wanting in a sense of what is due to my own character, to hear such assertions and allow them to go abroad to this Province, as legitimate consequences of my political opinions, and not to rise up and repel them as they deserve."[58]

The close of Haliburton's last session in the Assembly was marked by an agreeable tribute to his ability that must have gone far to remove any unpleasant feelings still remaining from the proceedings which terminated the first. Once again he was summoned before his colleagues and addressed by the Speaker at the unanimous request of the House:

"Mr. Haliburton, [said the Speaker] I am directed by this House to communicate to you, that they have had under their consideration a work now issuing from the Press, of which you are the author, entitled 'An Historical and Statistical Account of Nova Scotia,' which they think alike useful to the Province, and honorable to yourself, and that, to mark their approbation of this first effort to describe the Country and develope its resources, they have unanimously passed a vote of thanks to you, for this laudable undertaking, which resolution will be read to you by the Clerk." [59]

It was more than a gracious compliment that the clerk then read to Haliburton. For the first time, provincial literature received official public recognition.[60]

[59] *Novascotian,* Mar. 27, 1829.

[60] Archibald MacMechan, in *Canada and its Provinces,* XIII, 272, states that, in addition to the thanks of the House for his History, Haliburton was presented with a money vote of £500. No official record of such a vote exists. Moreover, see Joseph Howe's letter to Haliburton, below, 404.

CHAPTER VI

AN HISTORICAL AND STATISTICAL ACCOUNT OF NOVA SCOTIA

THOUGH a pioneer work in its own field, Haliburton's History of Nova Scotia, published from *The Novascotian* office in August, 1829, was only one among other manifestations of a general literary awakening in the province. Oratory, as we have just seen, was by no means a neglected art in the colony. Other departments of literature were becoming scarcely less well developed. Especially notable during the decade from 1825 to 1835 was the frequent appearance of provincial verse, and the peculiar features of a leisured journalism, descriptive sketches, humorous satire, and philosophical commentary. By the beginning of this period that "highly-gifted songstress of Acadia,"[1] Miss Tonge of Windsor, had already left behind her the "few imperishable specimens of heaven-born genius"[1] that made her early death so generally lamented by her countrymen, and the new-world Oliver Goldsmith had found an English publisher for his poetic record of the colony's advancement, "The Rising Village."[2] A little later the verse of Henry Clinch, a student at King's College, had begun to attract favorable comment from local critics.[3] Before the movement which these writers thus inaugurated had subsided, the province was able to

[1] *The Acadian Magazine,* May, 1827, 434.

[2] See above, 61, foot-note.

[3] *Letters and Public Speeches of Joseph Howe,* edited by J. A. Chisholm, I, 4.

support, for a few years at least, a weekly journal, the *Halifax Pearl,* 1834–39, which devoted itself wholly to politics, literature, science, and religion. But most of the versifying and a good deal of the writing of other sorts produced in this first era of Nova Scotian literature found its way into print in the files of two other periodicals, *The Acadian Magazine,* 1826, 1827, and the *Halifax Monthly Magazine,* 1830–32, both of which helped materially to make the decade a conspicuous one in the history of the country's intellectual progress. Though they had to depend, of course, largely upon a generous use of the editorial shears for their offerings, they attracted too a goodly number of highly creditable contributions from their colonial readers, and set in those early days a standard of sound literary taste that has not since been improved upon in Nova Scotian periodical publications. Probably the most vivifying stimulus operating upon the literary adventurers of the province, however, was the personal example and editorial influence of the young man whose name appears as the printer and publisher on the title-page of the first edition of Haliburton's History. Joseph Howe had begun his journalistic career as an office apprentice on the staff of the *Royal Gazette,* Halifax, and as an occasional contributor in prose and verse to the local newspapers. After a year's experience as part owner of one weekly, *The Acadian,* he sold his interest in it and bought, in 1828, complete ownership of another, *The Novascotian,* then well known, and ably edited by G. R. Young, who had begun its publication three years before. Under Howe's control, *The Novascotian* quickly became the leading newspaper of eastern British North America, and attained a circulation that secured it readers throughout Nova Scotia and New Brunswick, in the eastern United States, and even in Great Britain. The amount of labor

required to edit and print such a paper as he produced was prodigious, yet Howe did most of it himself. He read and clipped intelligently from the Canadian, American, and British press, and so educated his fellow colonials in contemporary politics and letters. He personally followed and reported, from his own short-hand notes, the proceedings of the local legislature and courts, and then, by commenting upon them in a series of able reviews, rallied his readers to active discussion of provincial politics. Riding much about the province on business, he had an opportunity to observe and describe its scenery and resources, the results of which he shared with the public in his informative " Rambles " through town and country. Though he frequently published his own verse in *The Novascotian,* he sought eagerly for similar contributions from others, and succeeded in finding them too, in rather amazing quantity. He made his paper, moreover, a forum of popular opinion, and the repository of frequent letter-series presenting in comic or serious treatment various topics of public interest. Finally, he succeeded in gathering about him a group of wits who, as much for their own edification as for public good, produced from time to time, from 1828 to 1831, a collaboration called " The Club " done in the manner of Wilson's " Noctes Ambrosianae " in *Blackwood's,* and lampooning the follies and foibles of the day, particularly those incident to legislative activities.[4] The

[4] Haliburton himself was named by Howe (*Letters and Speeches,* I, 4) as one of this group, though there is little evidence that he contributed much to their published jollifications. An orgy of punning included in " The Club " for June 23, 1831, could have been from the pen of none other, however, unless that of an extremely clever parodist. But if Haliburton prepared little copy for the collaborations, he furnished his share of the material upon which the others drew for their contributions. See especially the portrait of the " Major " in the first number of " The Club," May

desire for self-expression thus asserting itself in the columns of *The Novascotian* found reflection also in the other newspapers of the time.[5] There was, indeed, a fairly widespread spirit of literary endeavor abroad in Nova Scotia during the period we have indicated and Haliburton's History and later his "Recollections of Nova Scotia,"[6] practically the only productions of the time which still attract an occasional reader, were produced under, and remain as interesting and easily accessible evidence of, the common impulse then stirring among the whole people.

The Historical and Statistical Account of Nova Scotia was written, of course, with no consciousness on Haliburton's part that he was thus importantly contributing to the first out-flowering of Nova Scotia's literary genius. He may, perhaps, have had some intention of making through authorship a bid for further recognition than his law practice, and later his record as a legislator, had brought him, and there may have been some slight desire to tell for its own sake the absorbing story of Nova Scotia's discovery, conquest, and settlement, of which his resi-

---

8, 1828; the jokes at Haliburton's expense in the numbers for Jan. 1, 1829, and Aug. 11, 1831; and the mock trial of Haliburton, impeached for various of his indiscretions in the House of Assembly in the session of 1829, published on May 31, of that year. The cleverly humorous pamphlet, *Report of Mr. Bull's Jury*, Jan., 1829, which is almost certainly the work of this "Club" group, contains also a mock examination of Haliburton, disguised under the pseudonym of "Billy-button," along with that of most of the other members of the Assembly during the session of 1828. See below, 121.

[5] Particularly in *The Acadian Recorder*, founded in 1813, and continued down to the present day in an unbroken tradition of able editorial control and well-considered devotion to the cause of liberalism. See *Report of Mr. Bull's Jury*, 24.

[6] The title under which part of *The Clockmaker* was serialized in *The Novascotian*. See below, 178.

dence in Annapolis Royal had been an every-day reminder, but without question, his main purpose was identical with that which actuated him in writing the *General Description*, the desire to correct the "ill-favored brat" [7] conception of Nova Scotia current everywhere among people who had not visited the province, especially among old countrymen. Some notion of the absurdities arising from this general ignorance of the colony may be gathered from a response made by Haliburton to a toast in his honor at a banquet given him in Halifax in 1839: [8]

"You have been so good, Sir, as to refer in terms of approbation to an humble effort of mine — the History of Nova Scotia. On that subject permit me to say, that in early life I twice visited Great Britain, and was strongly, and I may say painfully, impressed with a conviction that has forced itself upon the mind of every man who has gone to Europe from this country — namely, that this valuable and important Colony was not merely wholly unknown, but misunderstood and misrepresented. Every book of Geography, every Gazetteer and elementary work that mentioned it, spoke of it in terms of contempt or condemnation. It was said to possess good harbours, if you could see them for the fog, and fisheries that would be valuable, if you had only sun enough to cure the fish, — while the interior was described as a land of rock and barren, and doomed to unrelenting sterility. Where facts were wanting, recourse was had to imagination; and one author stated that these woods were infested with wolves. Not content with the introduction of these savage animals, he represents them as having been endowed by Providence with the remarkable power of ascending trees in pursuit of their prey. . . . In short it [Nova Scotia] had become a bye word and proverbial term of reproach. Its name was a name of terror in the nurseries, and the threat of sending a refractory child to Nova Scotia was equivalent to sending him to the devil." [9]

[7] Edmund Burke's phrase, used in his attack on the Lords of Trade in 1780.

[8] See below, 281, 282.

[9] *Novascotian*, June 13, 1839.

In this same speech Haliburton goes on to relate as well the early hopes of and endeavors toward an account of the province that might have put an end to such misinformation as was then general, and his own determination to assume the task still awaiting, at the time recalled to mind, to be carried to successful completion:

"Under these circumstances every one at all interested in the Colony was desirous that some work, however imperfect, by some hand, however incompetent, should be put forth, to dispel this unfavorable impression that had so long been entertained with respect to us abroad. For some years, a hope was indulged that Dr. Brown, formerly a Presbyterian minister of this town, and afterwards President of the high school of Edinburgh,[10] would favor us with a history of this Province, as it was well known he had made ample collections for that purpose; but death interposed to blight those expectations. At a subsequent period, the Rev. Dr. Cochran, Vice-President of King's College,[11] a gentleman whose great literary attainments and untiring industry, eminently qualified him for the task, made some progress in the work, but increasing years and infirmities deprived us of this hope also. Finding that there was no probability of its being done by anyone else, I ventured upon the arduous undertaking, from a conviction of the necessity there

[10] The Rev. Andrew Brown, a Scotchman, called in 1787 to St. Matthew's Presbyterian Church in Halifax. "He remained till 1795, when he returned to Scotland, where he lived till 1834, a part of the time occupying the chair of rhetoric in the University of Edinburgh, which had been previously filled by Dr. Blair. During his sojourn in Nova Scotia, and down to as late a period as 1815, he collected materials for a history of the province. His papers, including original documents, were discovered serving ignoble purposes in a grocer's shop in Scotland, and bought for the collections of the British Museum. Transcripts from the most interesting of them relating to the expulsion of the Acadians have been made at the instance of the Nova Scotia Record Commission, and have been printed in the second volume of the *Collections* of the Nova Scotia Historical Society." Charles C. Smith, in Justin Winsor's *Narrative and Critical History of America*, V, 458.

[11] See above, 24.

existed for something to be done, and in a full reliance upon the kind and good feeling of my countrymen, to regard its deficiencies and errors with indulgence, and to make the necessary allowances for the difficulties which the duties of an arduous and extensive professional practice and my legislative labours, necessarily imposed upon me."

The discouraging extent of the difficulties that awaited Haliburton in undertaking a history of his native province, he also mentions in his Preface to the first edition.

"This employment," he says, in reference to the collection of material, "though very humble, has been very laborious. The town of Annapolis, in which I have compiled it, contains neither public nor private libraries; and I have been under the necessity of procuring books of reference from London and Boston; and in some instances, where they belonged to public institutions, of obtaining copies of those passages I was desirous of consulting. Constantly engaged in business either public or private, I have never been able to devote to it my undivided attention, but have written it amidst repeated interruptions, and at different times, as the occasional occurrence of a favourable opportunity permitted me to resume the pursuit." [12]

A more complete and intimate revelation of the labor and drudgery involved in the undertaking of a pioneer provincial historian is furnished in such of the letters as happily yet remain from among those exchanged between Haliburton and Judge Peleg Wiswall while the work was still in progress. They furnish also demonstration of the extent to which the latter influenced and assisted in the evolution of a pair of substantial volumes from what must have originally been a plan for a single one meant merely to correct the shortcoming of the *General Description;* and they afford as well a gratifying disclosure of the devotion and enthusiasm with which Haliburton applied himself to his exacting and long-continued task. The first of these let-

[12] *Hist. and Stat. Acct. N. S.* I, vi.

ters reveals the fact that at the commencement of the year 1824 the project for the new work on the history and resources of Nova Scotia was well advanced, and had already been under consideration by the two friends:

[To Judge Wiswall]

Annapolis Royal, 7th January, 1824

Dear Sir

I received your obliging letter by the last post, for which I beg you to accept my best thanks. By the Halifax mail I received no reply to my last Communication to the Governor[13] who seems disposed to act in the manner prescribed by Lord Bacon although your researches have supplied [him?] with a higher and better authority to support his measures than he himself is aware of. As he has however commenced with all due regard to Lord Bacon's advice, I hope he will pursue it "and voluntarily take some future occasion to redress the Grievance."

I fully agree with you that there is in fact no history of Nova Scotia to relate, and that the few military events which might have happened here have as little Bearing on the true history of the Country as the Battle of Trafalgar, of which it can only be said that it was fought in a particular latitude & longitude and of which the sole remaining trace is a point in the general chart of the world. These occurrences resemble duels, for which the parties for political purposes sought our wilderness as the most convenient place of Rendevous [*sic.*]. When I therefore called the work I had in hand the history of the Country, I did not mean to apply it in the usual acceptation as a narrative of political events, but in a more enlarged sense as an account of whatever might be found in the Colony. Indeed, it is not the name of it which is "An Historical Geographical & Statistical Account of Nova Scotia." The division of the work I intended to make the same as the pamphlet. Devoting the first chapter of 50 or 60 pages to an historical narrative — a connected but succinct view of the discovery, settlement and transfer of the Country until the Peace of Paris in 1763, at which period the French yielded all their territorial possessions in North America to Great Britain. After that period

[13] Sir James Kempt, to whom Haliburton afterwards dedicated his History.

the "short and simple annals of the poor" afford no materials for a continuation, and a history of the province subsequent to that epoch would be about as interesting as one of Dalhousie settlement.[14] Having in the first chapter traced our tittle [*sic*] to the Province, I would then attempt a Geographical sketch and then proceed to statistics. It is upon the last I shall bestow the most labour as by far the most important part. Our climate population Trade Towns & Rivers Government institutions agriculture natural resources & Political advantages are really subjects worthy of Consideration, & I hope an account of them, if drawn up with tolerable care & accuracy will meet with a favourable reception from the Public. . . .[15]

Your suggestion of publishing the work in numbers is one which I ought to have adopted in the first instance. It is possessed of many advantages. As you observe, the errors would not then have been beyond recall or correction, and if the performance attracted criticism much advantage might have been derived even from its enemies. It is also not improbable I might have received contributions of valuable matter from those who know the difficulty of the task & the value of it, properly executed — these and many other reasons which might be urged then shew at once the advantage and necessity of that way of appearing before the public. But it is now I fear too late to make a second experiment[16] upon our Community, which is far from being a reading society, and particularly as the new will embrace most of the old work. Whoever is known in this province as the author of any publication must consider that he has voluntarily brought himself to the stake to be baited by the empty barking of some and the stings and bites of others. If he is not known & his work attains to mediocrity, it will not be censured for fear that it should be the work of some *established* character, nor praised for fear that applause should fall upon *an unknown,* whom the generality of wits if they have not considered as their inferior are at all events not disposed to place higher than on an exact level with themselves. The Price of Printing, too, at Halifax is beyond all reason and failure would

[14] A scantily peopled farming community to the southeast of Annapolis Royal.

[15] The portion here omitted will be found, above, 61.

[16] The *first* experiment must have been the one carried into execution, *i.e.,* solicitation of subscriptions prior to publication.

be ruin.[17] My intention was to go on progressively but steadily till I had finished the entire work, when I should send a correct copy to my friend Franklin in London[18] and desire him to sell it to a bookseller for the best price he could obtain if he could not sell it to give it to the printer if he would publish it at his own cost, & if he could not dispose of it, to light his pipe with it. For I am not one who would rebel at the decision of the Booksellers and say "'S death I'll print it & shame the fools." I think their judgement infallible. They have administered so long to the literary appetite of the Public that they understand as it were by instinct what will be palatable and what will be removed from the table untouched. Every thing however which has America for its Subject (how dull or absurd soever it may be) is read in England with avidity, and I am not altogether without hopes of being able to dispose of my labours in some way or other. . . .[19]

But the limits of my paper warn me that I am trespassing too far upon your indulgence. I shall as you request consider both our correspondence, and the purport of it strictly confidential. Indeed you are almost the only person, Goldsmith excepted, who knows who the author of that work is, or that I am still employed on the same subject. For the 6th and 11th chapters I shall be most particularly obliged to you for your contributions,[20] and for

[17] The book was nevertheless eventually printed at Halifax. See below, 143, 144.

[18] Possibly James Boutineau Francklin, who was a brother of Haliburton's step-mother, and for many years clerk of the Nova Scotian House of Assembly; but more likely another brother, Michael Nicholson Francklin, who died in London in 1830, after a residence of some years there.

[19] The portions here omitted will be found above, 52.

[20] The chapter numbering adopted for the *Account* in its first form makes it uncertain what portions these were, but manuscripts in the Nichols collection show that Judge Wiswall contributed various information respecting western Digby County. There are also in the same collection many notes in all stages of revision upon Nova Scotia's fisheries, forests, climate, religion, natural resources, commerce, etc., but by no means all of these were prepared for Haliburton's use, as the date 1834, given for some of them, proves. These dated portions more than likely were intended for a work dealing especially with the Acadians' history and expulsion that Judge Wiswall seems to have had in mind.

such other parts as you think more than proper, and I shall deem myself most happy in being favoured with your confidence and counsel. If not asking too great a favour I should be glad to submit the draft of the several chapters as they become finished, for your perusal and correction previous to their being finally engrossed.

With many thanks for your goodness and condescension I am, dear sir

Yours truly
Tho C Haliburton

During 1824 work upon the manuscript must have progressed rapidly, for by December a draft of what is now included in the first volume had been submitted to Judge Wiswall, although Haliburton's comments in the following letter show that much still remained to be done:

[To Judge Wiswall]

1: Decr. 1824

Dear Sir

I received your favour by post, and I assure you it has given me very great pleasure to find that the manuscript has met your approbation. I had fagged & worried over it so much (for it is impossible to convey an idea of the labour it has cost me, in searching, translating, selecting, and composing it, more indeed than would be *sufficient to acquire any one modern language*) that I had wearied of every subject in it & feared it would prove a task even to read it. It has therefore relieved me of great anxiety to find you think, I have not altogether failed in the attempt —

I am much indebted to you for the hint of continuing it as a summary, which I shall adopt.[21] I have in the old-work a chapter entitled "Sketch of the administration of Sir Geo. Prevost — Sherbrooke — Dalhousie & Kempt" — I will in pursuance of your suggestion take all the narrative part of it, which begins in 1807, and, with some alterations make it form a part of the Summary from — 63 to — 24. If I can get access to the Council Books I can easily do it, and perhaps if you would be kind enough to give me a letter, this winter when at Digby, to Judge Stewart[22] he would

[21] See chap. VI, *Hist. and Stat. Acct. N. S.*, I, 242ff.

[22] See above, 50, foot-note.

obtain me a sight of them — I think their perusal indispensable to this part of the work —

Your directions about the map, are also noted, and will be strictly followed — I feel pleased you have mentioned it to me so soon, for I have in my possession *Judge Chipman's*[23] map, published expressly for him by Government to guide him as commissioner on settling the lines, embracing the territory from Labrador to Chesapeake with old and new names of places. With a little alteration of [the] interior part of Nova Scotia (for it includes Cape Breton) it will just answer the purpose — I should have returned it if you had not mentioned it — I will now set a surveyor, I know at Windsor (Anson) who is a beautiful draftsman, and was actually employed by commissioners, to copy a map — I forget whether I mentioned to you that I intended to enlarge the plan of the work — I shall give it the following title page

an
Historical Geographical & Statistical
Account
of
Nova Scotia
to which is added a general description
of
New Brunswick &
Cape Breton.

Illustrated *by a map* and several engravings.

One additional chapter for New Brunswick[24] and another for Cape Breton will be sufficient, I think I can procure materials, from my friends, which with a good deal I am in possession of, will be sufficient to complete the work. Its tittle [*sic*] therefore professing to treat of so great a portion of the British Dominions here (all indeed except Canada) will attract perhaps some attention to the work from an English Public. It will doubtless

[23] Jared I. Chipman, Judge of the Court of Inferior Pleas for the eastern district of Nova Scotia, appointed to this position at the same time Haliburton's father accepted a similar office in the middle district. See above, 12, 13.

[24] Omitted from the History as published.

render the whole more perfect, and acceptable. I am intimately acquainted with the Scotch clergyman at St. Andrews, who will gladly give me the particulars of that place & vicinity — Robert Parker of St. John [25] — and perhaps Judge Marshall [26] will help me to particulars of his Island.

You are now, Dear Sir, in possession of all my plans the particular division of my subject into chapters, and of the manner in which I propose executing it. I will now tell you where I am deficient in materials 1*st* from 1763 to 1824 — 2*nd* Chief Towns, Rivers &c. of Nova Scotia particularly Eastern parts — 3 New Brunswick & Cape Breton — 4 for account of particular trade & several kind of fishing, mode of catch, expense of outfit, returns &c —

In these four departments I am at a loss, and have got to learn before I can instruct. In all other parts of the work I have a great mass of matter collected, & partly arranged.

I feel like the man who walked by land to the East Indies (Capt Campbell), got half way, and found the other half appearing a great deal longer, than the whole did at first. It is too much for one person, who has any other business to do, and who has no public library in reach.

When you were here, you were kind enough to say you would help me in the statistics of the Eastern part of the province. In this particular I must trust to your kindness not to forget me, and any hints, additions, advice, on parts of the work, you find leisure and inclination to furnish me with will confer an everlasting obligation on me, for I feel great ambition to have this book do justice to our Country, and some little credit to myself.

I am Dear Sir
yours very truly
Th C Haliburton

Haliburton's appeal for assistance appears to have met with a generous response, for the next letter, undated, but

[25] See above, 23, foot-note, and below, 202, 203, 435.

[26] John G. Marshall, Chief Justice of the Court of Inferior Pleas for the Island of Cape Breton. See below, 416. Judge Marshall's assistance was forthcoming, as Haliburton expected. See *Hist. and Stat. Acct, N. S.*, I. vii, and II, 201, foot-note.

endorsed 1825 in Judge Wiswall's handwriting, contains enthusiastic acknowledgment of help received:

[To Judge Wiswall]

Dear Sir — On my return from Halifax I found the 1st chapter of [the] History of Nova Scotia under cover of your letter accompanied by the Preface and corrections which you have done me the favor to prepare. I can hardly find words to express my obligations to you for the very great trouble you have taken and for the very extensive nature of the assistance you afforded, so far exceeding anything I had any pretensions to expect from any friend, much less from you to whom the mere literal labour (independent of the enquiry & record) must have been personally inconvenient — accept dear Sir, all I have to offer, my most sincere thanks. If anything can inspire me with renewed exertions it will be not to disappoint your expectations — the prefatory remarks[27] are adapted in a peculiar manner to the work, and are perhaps the best apology that could have been composed, for the present backward state of the Country. Since I returned, I have been incessantly employed in assorting, filing &c. the confused papers of the probate office,[28] which I had not previously touched, so that I have not been able to resume the work, but so soon as I can with propriety get at it I will write to you on that subject more fully.[29]

Further evidence of the personal and painstaking interest which Judge Wiswall took in forwarding his friend's

[27] The Nichols collection contains several manuscript versions of what may very well have been the preface Judge Wiswall prepared for Haliburton's History, but Haliburton used no part of it in any of his introductory remarks as published. The Wiswall introduction, or what appears to be such, is adapted for a work containing material on New Brunswick. Possibly Haliburton decided not to use it when he decided against including the New Brunswick section.

[28] Haliburton was appointed Judge of Probate for Annapolis County in 1825. *Nova Scotia Almanac* for 1826, 28.

[29] For the remainder of this letter, see above, 49–51.

arduous venture is found in another letter of this series, also undated, but watermarked 1826:

[From Judge Wiswall]

Dear Haliburton,

I have perused your MS handed me by Mr. Nichols [30] with great pleasure. It is evident that you spare no pains in collecting facts, nor in detailing them. I think however, that you would save trouble to yourself by being more succinct, — particularly in the narrative parts — many things, such as length and course of roads, — number of houses & inhabitants — extent of townships by miles or acres &c. &c., had best be thrown into tables and appear by way of appendix. I feel a great desire that, your book should afford pleasant reading, together with a comprehensive view of our Province, to foreigners, — and at the same time become a standard book of reference for ourselves. From the New London Encyclopaedia now in the course of publication, I have extracted and herewith enclosed two wretched articles under the head of *County of Annapolis* and *Town of Annapolis* — until your book appears & spreads we shall continue to be misunderstood & mis-represented.

I approve of your description of the Eastern District of this County but wish you to throw the *herring fishing* (for there it truly belongs) into the account of Clements [31] and the description of the Gut [32] into that of Granville. You will perceive that, I have written for you an entire description of the western district.[33] Its history is altogether of recent date, — and it, together with its topography, intimately known to myself. I have omitted your dis-

[30] See above, 45.

[31] A suggestion Haliburton followed. See *Hist. and Stat. Acct. N. S.* II, 165 ff.

[32] Formerly a sailor's name, now the only one used, for St. George's Channel, the break in the seawall that separates Annapolis Basin from the Bay of Fundy. Haliburton included its description with that of Digby, not Granville, as Judge Wiswall suggested. See *Hist. and Stat. Acct. N. S.* II. 168.

[33] Included on the same sheet as Judge Wiswall's letter. Haliburton made only slight use of it in the description of western Digby County as he finally wrote it. See *Hist. and Stat. Acct. N. S.* II, 171 ff.

sertation upon the manner of the Clare people and also the distinct naming of our worthy friend Mr. Segogne.[34] For whatever is said of the Clare people is alike applicable to the Acadians throughout the Province, — and properly comes into that chapter where you may class & characterize our inhabitants under the titles of Acadian, German, New England, Scotch, Highland, Miscellaneous, & Indian. And as to the naming of particular living persons, *either in terms of paneygoric*[35] *or of censure* let it be avoided. It is beneath the dignity of your undertaking, and will not be generally well received or favorably commented upon — [36]

The last letter of this series, endorsed 1829, shows Haliburton still endeavoring to obtain what accuracy was his to command, and seeking Judge Wiswall's criticism and correction throughout the last stages of the preparation of his manuscript, up to the very moment of its going to press.[37]

[To G. K. Nichols]

My Dear Nichols —

I send you the draft of the Sketch for [the] County of Annapolis for your Perusal, & our friend the Judge. I should be glad if you two would spend a morning over it correct its errors & add what has been omitted — *particularly Digby The Neck Brier Island Sis*[*s*]*iboo River* and other matters connected. I beseech you not to fail me & to return it if possible by first mail, if not next Monday, certainly the Monday following. I call it the poorest report I have.

Let your accompanying remarks be free and without reserve, I have no pride of authorship — and don't care how much it is cut to pieces — only send the original back unaltered, for it is all

[34] Haliburton persisted in the retention of both. See *Hist. and Stat. Acct. N. S.* II, 173.

[35] Judge Wiswall makes in the margin of his letters two other attempts to spell *panegyric* both as amusingly unsuccessful as this.

[36] The letter breaks off abruptly without a signature to make room for the description of western Digby County referred to above.

[37] The first announcement of the forthcoming publication of the History appeared in *The Novascotian* for Feb. 21, 1828.

I have and let remarks accompany it by letters A B C D — refering to corresponding letters on other paper. I entreat you not to disappoint me.

The *mackerel fishing I have* in another place.

With great regard
Yours ever
T. C. Haliburton

In all, Haliburton spent seven years of conscientious and patient research among the scattered memorials of his country's history, and in collecting and compiling statistical returns and other data respecting its population, industries, commerce, and its still to be developed resources. It is not to be wondered at, then, that when he finally sent his manuscript to the printer he told his family he felt as though he had parted with a child.[38] Such attachment to his task makes it all the more regrettable that fate should have deprived him of an opportunity to correct the proof sheets,[39] and necessitated the appearance of his work before the public marred by the grossest sort of typographical errors. Apart from these blemishes, however, the History itself offers all the testimony needed as to the diligence and faithfulness that went into its making. Despite its somewhat too well-starched formality, in point of style and honest execution of its design it was not improved upon by any of the numerous works which Haliburton wrote later. The title of the work describes accurately enough its nature and contents. The first volume confines itself to what Haliburton evidently felt was all that deserved consideration as relevant historical material, an account of the more romantic and stirring events which had taken place in the province from its discovery by John

[38] Georgina Haliburton, Manuscript.

[39] See *Hist. and Stat. Acct. N. S.*, I Preface, vii, and II, errata sheet at close of index pages.

and Sebastian Cabot, in 1498, to its final transference to British control in 1763. To this account is appended by way of chronological entries a naïve summary of occurrences that brings the record down to 1828. The statistical account of the province is presented in the second volume, which includes also a good deal of matter of much more interest than a collection of tabulated returns usually promises. As history, Haliburton's work is not altogether trustworthy, and it suffers, of course, from the defects common to inexperienced authorship and the difficulties incident to a pioneer undertaking. Most disappointing among its faulty features is its undue emphasis upon episodes of a purely adventurous or military character, and its neglect of the constitutional development and social evolution of the country, especially in the period from 1763 onwards, for the tracing of which Haliburton's social connections and professional position should have placed him in a peculiarly favorable position. With all its shortcomings, however, Haliburton's account of Nova Scotia has not been surpassed in interest and readability by any subsequent history of the province, nor has any later history succeeded in displacing it as a popular source-book of information regarding the period of Anglo-French rivalry for the colony and of its early settlement. To this day, teachers in the public schools of Nova Scotia, whether they know it or not, in "oral history" lessons instruct their pupils to repeat phrases from their country's story just as Haliburton wrote them nearly a century ago. Practically every historical or descriptive account of the province written since Haliburton's time has been based in part, either directly or indirectly, upon his work. And at least two of the more imaginative treatments of Nova Scotian incident, both written, strangely enough, by Americans, have found, if not their inspiration, then certainly

their facts, in Haliburton's version, one a novel, *The Neutral French* (1841), a highly sentimentalized narrative of the Acadian deportation, by Mrs. C. R. Williams,[40] and the other, Longfellow's famous "Tale of Acadie," the poem *Evangeline* (1847), based on the same event. Not only did Longfellow read Haliburton's History, and the passage included there from the Abbé Reynal's work [41] on the Nova Scotian French, before writing his romance,[42] but he first heard the tragic details of the happenings which went into its telling from a member of the historian's family. The legend, it appears, was told by Haliburton's aunt, Mrs. George Haliburton, to the Rev. H. L. Connolly, rector of a church in South Boston, who later, a dinner guest with Hawthorne at Craigie House, retold it to Longfellow, and stated that though he had urged it upon his friend from Salem, Hawthorne had declined it. Thereupon Longfellow asked permission to try his hand at putting the story into poetic form. To this Hawthorne consented and agreed not to treat the subject in prose until Longfellow had seen what he could do with it in verse.

Whether Longfellow derived anything from Haliburton's History besides the setting for his poem, it is now impossible to decide, but if more than the legend itself had been needed to awaken his pronounced sympathies for the Acadians it would have been the comments with which Haliburton accompanied the facts and documents he had assembled bearing on their expulsion. His deprecation of

[40] See the Introduction to *The Neutral French,* 12, 13.

[41] *Hist. and Stat. Acct. N. S.,* 1, 170–172.

[42] See the *Life of H. W. Longfellow with Extracts from his Journal and Correspondence,* II, 71, edited by Rev. Samuel Longfellow. See also J. F. Herbin, *The History of Grand Pré,* 119; an autograph letter of H. W. Longfellow's in the Legislative Library, Halifax, N. S.; and another to T. B. Akins in the collection of Beckles Willson, Windsor, N. S.

the harsh treatment accorded the French neutrals precipitated a discussion as to the justice and necessity of their banishment that still continues. But it seems, in spite of the vehement and reactionary defense of the British side of the dispute, produced in great measure by Mrs. Williams' and Longfellow's disregard of all save the pathos of the affair, that as Haliburton had the first word on the question, so will he have the last. For enlightened opinion tends more and more to accept his view that though the transportation of the French appeared to the English authorities of the time a measure dictated by military necessity, it was carried out so as to inflict unnecessary suffering upon a hapless people. True it is that there have been claims that Haliburton late in life revised his original opinions upon this matter, but they have been made without substantiation of any sort.[43] And it is also true that because Haliburton's defective knowledge of the facts of the case led him to state it as his belief that the official records of the transaction had been "carefully concealed,"[44] he has been accused of insincerity in his conclusions concerning the English proceedings. But upon this point Judge A. W. Savary's vindication of Haliburton is complete and final: "Defective, but defective only on the side he supported, as his sources of information admittedly were, ample data remained to justify his conclusions. . . . His decision was like the acquittal of an accused party on the evidence against him alone, thus emphasizing his innocence."[45] It is unlikely, therefore, that future findings on the Acadian question will cast a doubt on either the sincerity or soundness of Haliburton's judgment that an

[43] See R. G. Haliburton, *The Past and Future of Nova Scotia,* 15, and Campbell, *Nova Scotia,* 46–49.

[44] *Hist. and Stat. Acct. N. S.,* I, 196, foot-note.

[45] *Hist. County Annapolis Supplement,* 34, foot-note.

exile forced upon a whole people for the faults of a few was a punishment disproportionate to the crime.[46]

The only other expressions of personal opinion which Haliburton permitted himself in his History, like his stand on the expulsion of the Acadians, were repeated for the most part from his House of Assembly speeches, and their reiteration in the pages of a work written dispassionately and without haste afford a sound reason for accepting his vehement legislative pronouncements as true to his personal convictions. The claims of Pictou Academy were once more supported,[47] and the need of Dalhousie College again seriously questioned.[48] The right of England to levy taxes in regulation of colonial foreign commerce was upheld as eagerly as ever, and supported by the contention that while the provincial legislatures had jurisdiction over internal affairs of the colonies, the British Parliament was supreme in all external affairs,[49] a contention later used against Haliburton's defense of Imperial rights by his political opponents in their demand for reform in colonial government. The opposition to the unconstitutional and un-British assumption of legislative, judicial, and executive powers by the Governor's Council, which Haliburton had waged so audaciously in the Assembly, was also continued as earnestly, though less violently, in the discussion his History presents of needed improvements in the provincial administrative offices,[50] and the suggestion which had so shocked his antagonists in the House,[51] the

[46] Striking corroboration of Haliburton's view is promised in the results of the latest research into this vexed question, a volume of hitherto unpublished original material about to be issued by the Nova Scotian government.

[47] *Hist. and Stat. Acct. N. S.*, II, 54-56.

[48] *Ibid.*, II, 18.

[49] *Ibid.*, II, 326, 327.

[50] *Ibid.*, II, 317–319.

[51] See above, 115–117.

reconstitution of the upper branch on a more widely representative basis, was here worked out in some detail. What Haliburton proposed in his calmer-minded consideration of the question was a Council made up of members possessing qualifications "infinitely higher than those eligible to be chosen members of the House of Assembly," determined upon by electors who "should possess qualifications, also proportionately higher than those of the electors of the Representatives." As an alternative to this proposal, and as a concession to those who might oppose it, "as bordering too much on democracy," Haliburton put forward also this other, that "the election might be left with great safety to the Crown, with this express proviso, that every Councillor so named, should be possessed of landed estate in the Colony, to a certain extent, and should hold his seat for life." But in either case Haliburton insisted on this essential feature of improved reconstruction, that the Council should be invested "with no other powers than those necessary to a branch of the Legislature."

Upon still another question of much public concern the *Historical and Statistical Account* records a conclusion early reached by its author which is also interesting, unlike those just cited, however, not because it reiterates a judgment he had passed formerly, but because it anticipated one pronounced much later, not by Haliburton himself at all, but as a professional decision by quite another person with whom he has often been mistakenly identified,[52] Sir Brenton Halliburton, in his official capacity as Chief Justice of Nova Scotia. Discussing the applicability of English common and statute laws to colonial cases, Haliburton remarks,[53] "as both these laws grew up with the local circumstances of the times, so it cannot be supposed that either of them, in every respect, ought to be in

[52] See below, 415. [53] *Hist. and Stat. Acct. N. S.*, II, 344 ff.

force in a new settled country; because crimes that are the occasion of penalties, especially those rising out of political, instead of natural and moral relationship, are not equally crimes in every situation." Delivered years afterward from the bench of the Nova Scotian Supreme Court, in different form, of course, but with substantially the same legal implication as it has here, this opinion is now considered among the most important, in its bearing on the development of colonial law, that Haliburton's locally illustrious namesake and colleague ever rendered.[54]

The necessity we have seen Haliburton was under of depending upon the writings and personal assistance of others in completing his History,[55] and his lack of present-day meticulous care in recording literary indebtedness and citing sources have led to serious charges of plagiarism in the compilation of this work which the facts scarcely warrant, and which it is perhaps as well to deny, since there still remain more cases than enough in which Haliburton lies open to similar accusations where no denial is possible. For instance, Sir John G. Bourinot in his *Builders of Nova Scotia*[56] states that much of Haliburton's narrative of the Seven Years' War, and of the account of the second siege of Louisburg, is either condensed or taken *verbatim et literatim* from Smollett's *The History of England.* There is, to be sure, in Haliburton's History no foot-note acknowledgment of the obligation to Smollett, but in the Preface of the first edition, unfortunately omitted from those issued later, Haliburton makes specific mention of

[54] See Alexander James, *Report of Cases ... Supreme Court of Nova Scotia,* 1853–1855, 289–291, and *Canada and Its Provinces,* XIV, 464, 465. Both Haliburton and Sir Brenton were, of course, closely following Blackstone in their opinions.

[55] See above, 130, and *Hist. and Stat. Acct. N. S.,* the Preface.

[56] 63.

Smollett as among the English authorities who "have afforded me the most assistance," while in his *General Description,* which makes use of the same material, he names the precise source from which it is derived.[57] As an additional example of Haliburton's tendencies to appropriate to his own use the labors of others, Bourinot mentions that "the second volume is largely made up of contributions from residents of the counties and townships, of which he gives interesting geographical and topographical descriptions," and that, "the very full account of the island of Cape Breton was written by Mr. W. H. Crawley, who was connected with the survey of that island, and is much above the average merit of the volume from a literary as well as economic point of view." As a matter of fact, Haliburton expressly states in his Preface[58] that, "The second volume has been compiled from public records, surveys, charts, personal knowledge, and colonial works; and also from an extensive correspondence with respectable and intelligent people in all parts of Nova Scotia"; and in the second volume, which contains the account of Cape Breton in question, he makes[59] the following complete and hearty acknowledgment of Mr. Crawley's assistance:

"My first efforts to obtain accurate information of this interesting and valuable island were so unsuccessful, that I had almost despaired of presenting the public with anything beyond a mere sketch . . . but just as it was going to the press, I received an offer from W. H. Crawley, Esquire, to inspect the manuscript, and make such corrections and additions as it should require. Instead of new notes as I had anticipated, I received a mass of most valuable information, and should feel guilty of appropriating to myself the credit of his labors, if I did not make an explicit acknowledgment of his kindness."

Another charge of the same sort not so generally well known is made in a review of Bourinot's *Builders of Nova*

[57] *Gen. Desc.,* 65, foot-note. [58] vii. [59] 201, foot-note.

Scotia,[60] and, though more serious, is scarcely better substantiated. Its statement that, "The short histories of townships which Haliburton prints in the latter volume [the second of his History of Nova Scotia], are taken almost literally from the third Charles Morris's[61] *General Information Book,*" is, it is true, amply authenticated, but any implication of plagiarism which it carries is more than offset by the fact that Haliburton, after admitting in his Preface his debt to the "public records, surveys, and charts" of his province, goes on to list the "Hon. Charles Morris" among those to whom he is under "great obligation" and to whom he wishes to return "sincere thanks."

Financially the publication of the *Historical and Statistical Account* was a disappointment. Haliburton, indeed, managed to clear himself of the transaction without loss, though it returned him no adequate reward for his labor.[62] But to Joseph Howe, the publisher, the speculation proved almost disastrous. Too sanguine expectations of a ready sale abroad led to the printing of an edition more than three times as large as was usual in England with works of a corresponding class.[63] From the private papers of Howe one may learn how high were the hopes he entertained of his publishing venture, and how serious was the extent of the losses sustained through his miscalculation. Writing, in July, 1829, of his unexpected successes with *The Novascotian* and his printing-office, he says: "In addition to this, I have been printing 3,000 copies of Haliburton's History of the Province by which I shall clear a handsome sum, so that, all things considered, I have great reason to be thankful, as I believe few who began

[60] By Victor H. Paltsitts, *American Historical Review,* V. 802.
[61] Appointed Surveyor-General of Nova Scotia, 1802.
[62] See below, 404.
[63] *Novascotian,* June 13, 1839.

with nothing have done more in a year and a half."[64] The other side of the story is presented in his business memoranda of the same year: "This year published Haliburton's History of Nova Scotia, which was a ruinous speculation. It cumbered my office for two years, involved me in heavy expenses for wages, and in debts for paper, materials, binding and engraving. It was to have been published on joint account, he making some cash advances, and we dividing the profits and loss. To simplify matters I bought the whole, relying upon heavy sales in England, the United States, and the other Provinces. None sold abroad. The Book, though fairly printed, was wretchedly bound, the engravings were poor, and I was left with about 1000 copies, scattered about, unsaleable on my hands."[65] As late as 1837, these 1000 copies of the history still remained unsold, though offered at half price.

The failure of the English public to justify his belief that it would read with avidity anything on America "how dull or absurd soever,"[66] was probably disheartening enough to Haliburton, but even more discouraging, after all his efforts to correct erroneous opinions about Nova Scotia, must have been the *Eclectic Review's* assertion that his History would hardly excite much interest in England "simply because the subject partakes of the reputed character of the clime and country to which it relates, — cold, sterile, and uninviting"![67] *The Eclectic* was sufficiently generous, however, to describe the book as not "destitute of utility," and as "highly valuable" to anyone contemplating emigration to the British settlements in America, and to give its author his due for "the competent execution of

[64] Collection of Judge J. A. Chisholm, Halifax, N. S.
[65] Papers of Joseph Howe, Public Archives of Canada.
[66] See above, 128.
[67] III, 3rd ser., 1830, 119.

his undertaking." In the United States contemporary opinion was rather more cordial, the *North American Review* in the course of an extended notice declaring that Haliburton "has given us a history and description of his native province which not only does great credit to himself and to Nova Scotia, but will safely bear a comparison with any of the works of a similar kind, that have appeared in the United States." [68] Perhaps as handsome a recognition as any which his History brought Haliburton was the vote of thanks which he received for his work from the Massachusetts Historical Society, and later his nomination and election to a corresponding membership in the same distinguished organization, not the least gratifying feature of both honors being the coupling of his name with that of Washington Irving in the formal motions necessary to vote them.[69] At home, Haliburton's reputation was, of course, tremendously enhanced by the appearance of his History, and it is generally conceded that it was his patriotic endeavors as the pioneer historian of his province that finally turned the scales in his favor when the matter of a successor to the office left vacant by his father's death was under consideration, and that thus opened the way for his retirement from the acrimonious scenes of the legislative arena into what in his case was the quiet and leisure of a judicial appointment.

[68] XXX, 1830, 121, article by C. W. Upham. Recent expert American opinion still gives Haliburton credit for producing "A work of conscientious and faithful labor," and points out that while "No one without some previous familiarity with the subject can safely read it . . . , such a reader will find it in much of value." See critical estimate by Charles C. Smith, in Justin Winsor's *Narr. and Crit. Hist. of Am.*, IV, 155, 156. Quoted also in Larned's *Lit. of Am. Hist.*, 431.

[69] *Proceedings of Massachusetts Historical Society*, I, 423, 424.

CHAPTER VII

JUDGE OF COMMON PLEAS

The course of political independence which Haliburton insisted on following in the House of Assembly, however admirable the intention to pursue it may have been, was obviously leading him to no desirable goal. Among his constituents and the voters in the province at large no amount of eloquence in support of their rights could offset the unfavorable impression produced by the patronizing references in his speeches to the "lower orders,"[1] or by his frequently and forcibly expressed contempt for popularity, about which it was well known he cared "not three puffs of a cigar."[2] In the House, instead of securing the strong and commanding position for which his gifts of oratory and his natural fearlessness may have justified him in hoping, he had followed his inclination for indiscriminate jest and the reckless cracking of skulls[3] until he had lost all prospect of controlling those whom his demands for reform might have induced to accept his leadership had they not been either hurt or intimidated.

[1] See *Report of Mr. Bull's Jury*, 27.

[2] See letter signed "Digby," [=Judge Wiswall?] *Novascotian*, June 5, 1828.

[3] A notorious instance of his fondness for merciless ridicule is his attack as one of the Assembly's Committee on Privileges, on John A. Barry, member from Shelbourne, which had its share in procuring Barry's suspension from the House and later imprisonment, not effected without serious rioting in the streets of Halifax. See "The Club," *Novascotian*, May 21, 1829; a series of *twenty-five* letters from Barry in the *Acadian Recorder*, 1829–30; and Campbell's *Nova Scotia*, 261 ff.

Yet he was never without a following, and his dauntless bearing on many occasions very likely compelled approval even when he failed to inspire perfect confidence in the disinterestedness of his motives. Even his most unmistakable exhibitions of ill-temper were not wanting defenders, who insisted on his good intentions and consistent good humor.[4] Nevertheless it was the antagonism rather than the support of his legislative colleagues that Haliburton won, although their opposition was never so strong or decided that it might not have been readily overcome by a discreet change of tactics. In the Council, the seat of all power, it was unavoidable that his House of Assembly conduct should arouse both distrust and defiance. His situation at the end of his third session in the legislature had become, therefore, as dangerous as it was difficult. And yet it could hardly have been more uncomfortable than that he had made for the Council. For the restoration of the official peace of mind it was absolutely essential that this turbulent commoner with his persistent challenge of long established authority and privilege should be silenced. Of the two alternatives at the command of the upper House for ridding itself of his constant attacks neither was satisfactory. To crush Haliburton would not have been easy, for he was an eager combatant, not to be bullied out of a resistance to what he thought unconstitutional, and capable of continuing his fight, single-handed if necessary. To conciliate him, on the other hand, was something the Council could scarcely be expected to do with any very evident show of good grace. Still, he was too dangerous to be ignored.

[4] See letter signed "Digby," *Novascotian*, May 1, 1828, and a remark respecting Haliburton in "The Club," *Novascotian*, May 21, 1829: "Happy dog, nothing discomposes him long; he storms for a few moments and it is all over, clear sunshine again, . . ."

It was Haliburton himself who led the way out of the difficulty. The manuscript of his History had barely been completed when he was summoned from Annapolis to the bedside of his father then lying dangerously ill at his home in Windsor.[5] On July 7, 1829, his father died,[6] and shortly afterward Haliburton relieved the Council of its embarrassing uncertainty as to his conduct by making application for the position in the Inferior Courts of Common Pleas which his father's death had left vacant. The surprise created in the Council by his request for its favor must have approached that produced by his earlier displays of effrontery.[7] And yet it should not have been altogether unexpected, for in those days offices continued in families, passed on from father to son as a matter of course,[8] and Haliburton, besides possessing the qualifications needed in a successor to his father's office, had eloquently demonstrated his devotion to the interests of the Crown in the debates on the Custom House salaries and the quit rents, and on numerous other occasions. In addition, he had performed a patriotic and much needed service to his country in the preparation of his painstaking account of the province. All these, we may be sure, were

[5] Errata note, *Hist. & Stat. Acct. N. S.*, end of vol. II. It was Haliburton's father's need of constant attendance during his last illness that delayed the preparation of an errata sheet so long that Joseph Howe finally determined to trust to the indulgence of an impatient public, and issued the work still uncorrected.

[6] "After a most painful illness," *Novascotian,* July 15, 1829.

[7] It must have been Haliburton of whom one of the old Council of Twelve "openly made the remark on an occasion when there was a vacancy on the Bench, and an eminent lawyer had applied for it, that he wondered how the gentleman could have the impudence to apply, after his opposition to the Council whilst a member of the Assembly." Rev. G. M. Grant, "The late Hon. Joseph Howe," *The Canadian Monthly,* May, 1875, 506, 507.

[8] *Ibid.,* 385.

reasons urged for granting his request, but against them could be adduced his unforgiven attacks on the Lord Bishop and on the twelve "antiquated spinsters"[9] of the upper House (the first of which his enemies termed "uncalled for and unjustifiable" and the other "wanton and unprovoked, and unaccountable"[10]) and his continued advocacy of a denatured Council exercising legislative functions only.

The matter was finally settled in Haliburton's favor by a proclamation issuing from the Provincial Secretary's office on October 2, 1829, to the effect that

"His Excellency the Lieutenant Governor has been pleased to appoint Thomas Chandler Haliburton Esq., Barrister at Law, to be First Justice of the Inferior Court of Common Pleas, and President or First Justice of the Court of Sessions for the Middle Division of the Province in the room of W. H. O. Haliburton, Esq., deceased."[11]

How near it came to being decided against him and how great was the relief in both Houses of the Legislature to have the case thus finally disposed of is divulged in a rare bit of intimate gossip in a letter from one of the Council members, Judge James J. Stewart,[12] to his friend and colleague of the Supreme Court, Judge Wiswall:

5th Oct. 1829, Halifax.

". . . The Judges begin now to think, with the Atty General,[13] that the office of Judge of Probate should not be given to a *prac-*

[9] See above, 99.

[10] See letter signed "Amicus," *Novascotian,* April 4, 1828.

[11] *Royal Gazette,* Halifax, Oct. 7, 1829. The *Gazette* prints in obvious error "Western" in place of the "Middle" of the quotation. The appointment which this proclamation makes appears to have been only temporary, permanent appointment not being made until the issuing of the general Commission of the Peace, March 31, 1831.

[12] See above, 50, foot-note. [13] Hon. John Richard Uniacke, Sr.

tising lawyer. Had not Goldsmith the *reversion* of the Prothonotaryship, he would have stood a good chance for the appointment, but his best friends here think that the two offices of Prothonotary and Judge of Probate, in addition to that of Collector of the Customs,[14] would be unreasonable. So much for that affair, which you know results from the appointment of T. Halliburton [*sic*] to the Inferior Bench. The Governor[15] decided upon that point, only a few days ago, and I can assure you, with much reluctance, as he considered Halliburton's Conduct in the H. of Assembly as almost a *barrier* against the measure. Had White's[16] good fortune enabled him to extricate himself from his pecuniary difficulties, Haliburton would not have succeeded. I must admit however, that many things were in his favour. The lawyers (in the House) say what they will, are to a man, from the speaker[17] downward, rejoiced to have him out of their way. Independent of his being on the road to the *Chair,* he was troublesome to many individual members who were afraid of his wit and sarcasm, and they must feel happy that he cannot come again among them. Some think that the Governor appointed him to the office to get rid of him, and others think that my old friend the Treasurer[18] as well as the Attorney General, and even the good Bishop,[19] will not lament the appointment *at heart.* What the people in the District will think of it I cannot say, but I should like to have *your opinion* on the subject. . . ."[20]

The good judge, we may surmise, gave his entire approval to the move. What others thought of it, is not so certain.[21] But whatever they thought, there were reasons enough

[14] Henry Goldsmith (see above, 61, foot-note) was Collector of Customs in Annapolis in 1829.

[15] Sir Peregrine Maitland, Governor from 1829 to 1834.

[16] Unidentified.

[17] S. G. W. Archibald.

[18] Hon. Michael Wallace.

[19] See above, 107–109.

[20] Collection of G. E. E. Nichols, Halifax, N. S.

[21] In Pictou County it is reported that Haliburton's acceptance of judicial office was regarded as a defection from the cause of the Academy. (See R. G. Haliburton in *Haliburton: A Centenary Chaplet,* 21.) The report, if true, only shows the Pictonians as

why Haliburton should, almost inevitably, have wished to obtain his father's office. It meant for him an alliance with the party to which by natural inclination and by training he belonged. The place carried with it the assurance of an adequate living. The duties it entailed were congenial. It presented an opportunity to return from the limited possibilities of Annapolis to the more progressive community of his birth and boyhood, and to bring his family into intimacy with the influential social group of his father and step-mother. Moreover, it promised the leisure to carry out a literary undertaking that had been in his mind since the later stages of his historical work.[22] Finally, for him to remain in the Assembly and progress politically was, as we have seen, impossible without his joining the ranks of the radical reformers, a move forbidden by both temperament and conviction, or appearing on the floor of the House in defense of the Council as it was, a change of face, if not of heart, too ignominious to be thought of; while the judgeship to which he aspired brought to its incumbent a degree of public honor and official recognition that could not fail to be desirable to an ambitious young man.

Once the party of power had befriended him, Haliburton gave to it his whole hearted devotion and lifelong support. His acceptance of appointment in the Court of Common Pleas marked the turning point of his life. From the time he took his seat on the Bench, any previous tendency he may have shown towards becoming a thorough-going reformer of the British colonial system ceased, and the political bias of which he had most

---

most unreasonable to expect a man who had jeopardized his future for their sake to sacrifice it completely. From Haliburton, Pictou Academy certainly received full measure of justice.

[22] See below, 179.

frequently given evidence in his public life appeared as a fully developed and consistent Toryism. In the era of constitutional reform about to follow he found himself, as a consequence, out of sympathy with the spirit of his age. It was not that he retreated from a position he formerly occupied. He simply stood still in a period of general advance, and so undeviatingly did he cling to his Tory principles that eventually even his own party moved on and left him.

Haliburton's duties as judge of the Inferior Court, though they exacted a good deal of arduous driving over well-nigh impassable roads, did not occupy an undue amount of his time. Twice yearly he held the Sessions of the Peace at each of the four county towns in the four middle counties of his province, and on the same occasions heard whatever cases there were to come before him as presiding justice of the Court of Common Pleas. For these services he received the salary of £405 per annum, with an allowance for travelling expenses, a sum which though much less than the income he had enjoyed from his private practice [23] was, nevertheless, a rather comfortable stipend. His position on the Inferior Bench was, of course, of no special value in affording expert training in the interpretation or administration of the law, nor did it promise any likely chance of further promotion. Only cases involving amounts of less than £5 were tried before the judges of Common Pleas,[24] and even these when they presented any particularly difficult legal points were pled, as often as not, in the Supreme Court, which had concurrent jurisdiction with the Inferior Courts, and was frequently resorted to in preference to them as insuring

[23] See letter from Haliburton to the Provincial Secretary, Sir Rupert D. George, N. S. Assembly *Journals*, 1838, Appendix 64, 154.

[24] *Hist. & Stat. Acct. N. S.*, II, 332, 335.

decisions almost certain to be sounder in law. Haliburton, however, was apparently well satisfied with his appointment to judicial office, without first importance though it was, preferring, as he said, "the retirement of private life to the excitement of Politics," and doubtless enjoying the opportunity it afforded him for prosecuting the various schemes which his keen eye for business suggested in development of the very considerable property his father had left him, and for carrying out the literary project already mentioned [25] as among the desires that actuated him to seek a government commission at the hands of the arbitrarily functioning Council. Though soon involved more and more in steadily expanding interests widely divergent from those connected with the preformance of his routine court-room duties, throughout the twelve years he held his Common Pleas judgeship he bore, without serious imputation to the contrary, the name of an efficient and conscientious official. Like most of his colleagues in similar positions elsewhere in the province he did not wholly escape criticism on the part of the public, with whom the Inferior Courts never ceased to be unpopular institutions,[26] but none of the complaints lodged against his fellows in the other circuits, such as the extortion of unreasonable and even illegal fees, or the failure to make proper returns to the Department of Justice at Halifax, was ever successfully sustained against him. And near the close of his first tenure of judicial appointment, when a rising demand for reformation in the provincial judiciary threatened to put an end to his further employment as a judge, he was the recipient of cordial addresses from the "Assistant Justices, Magistrates, Gentlemen of the

[25] See above, 151.

[26] See the letter from "Investigator," and the reply from "Scrutator," *Novascotian,* Dec. 4 and 11, 1834, respectively.

Bar, High Sheriff, and Grand Jury" of the Counties of Hants and Lunenburg, signifying their approval of his faithful and successful endeavors to dispense the laws of the land wisely and well.[27]

Immediately upon his elevation to the Bench of the Inferior Court, Haliburton removed from Annapolis to Windsor. For a few years following his return to the latter community he lived with his numerous family, which, besides his wife and step-mother, consisted of five children, later increased to eight,[28] in the house that had

[27] *Novascotian*, April 19, 1838.

[28] Eleven children in all were born in the Haliburton family, three of whom died in infancy. According to Eaton (*N. E. Hist. & Geneal. Reg.*, LXXI, 71, 72) the family record of births, deaths and marriages is as follows: (1) Susanna Lucy Anne, bapt. Windsor, 2 June, 1817, d. 11 Sept., 1899, m. 1848, as her second husband Judge Wesley John Weldon, of the New Brunswick Supreme Court; (2) William Neville, bapt. Windsor, 1 Dec. 1819, d. young; (3) Thomas (twin) bapt. Windsor, 18 Jan., 1821, d. Boston, Mass., in an asylum for the insane, 3 Nov., 1847, buried at Mt. Auburn, Cambridge; [Thomas Haliburton gave promise of becoming a distinguished musician. An interesting note on the musical ability he manifested in boyhood appears with Joseph Howe's poem, "Tom's Apology." See Howe, *Poems and Essays*, 176. J. B. Atley, Lord Haliburton's biographer, states that Thomas was known as "the American Mozart." See *Lord Haliburton, a Memoir*, 6, foot-note]; (4) Lewis (twin), bapt. Windsor 18 Jan., 1821, buried two days later; (5) Augusta Louisa Neville, bapt. Windsor, 3 July, 1823, d. Torquay, West Devon, England, 11 Oct., 1891, m. shortly before 16 Sept. 1854, A. F. Haliburton, who d. 29 Jan. 1873; (6) Laura Charlotte, bapt. Annapolis 8 Sept. 1824, d. Nice, France, late Dec. 1910, m. Dec., 1851, William Cunard, 2nd. son of Sir Samuel Cunard; (7) William Frederic Neville, bapt. Annapolis, 1 Dec., 1826, buried 11 Apr., 1827; (8) Emma Maria, bapt. Annapolis, 18 Oct., 1828, m. Rev. J. Bainbridge Smith; (9) Amelia MacKay, bapt. Windsor, 17 June, 1830, m. 1849, Rev. Dean Edwin Gilpin, D.D.; (10) Robt. Grant, b. Windsor, 3 June, 1831, d. unm. 1898, at Pass Christian, Miss., Hon. D. C. L. (King's); [He was the

been his father's before him, standing near the water-front in the very midst of Windsor's commercial activities. But by the middle thirties, or very shortly afterwards, he had built for himself on his holdings near the edge of the town, and overlooking it from the westward, another dwelling, more in keeping with his fast developing aristocratic tastes for seclusion and superiority in environment. Here in the spaciously planned, durably constructed, story-and-a-half wooden villa, which with its extensive grounds he called "Clifton"[29] and which he hoped and expected would serve as the pleasant retreat of his old age,[30] Haliburton made his home during the remaining portion of his life spent in Nova Scotia. The new residence stood on the crest of a then thinly wooded hill-top, in sight of King's College, and commanding a view of the Avon up stream and down. It was approached by a long narrow avenue leading for some distance straight through a growth of locust and acacia trees, interspersed with an

---

author of several monographs on anthropology and primitive religion, and Fellow of the Society of Antiquaries of London, and of the Royal Society of Northern Antiquaries of Copenhagen. See title-page of his *Intercolonial Trade,* etc.] (11) Arthur Lawrence, b. Windsor, 26 Sept., 1832, d. London, England, 1907, Hon. D. C. L. (King's), Companion of the Bath, 1880, Knight Commander of the Bath, 1885, Knight of the Grand Cross of the Bath, 1897. Baron Haliburton of Windsor, 1898. [Lord Haliburton served with great distinction in the Commissariat Department of the British Army, in the British Civil Service in connection with army supply and transport, and as a British Under Secretary of War, 1888–1897.]

[29] Now usually known to Windsorians as "the Sam Slick place." A recent occupant, Beckles Willson, Esq., did much to restore the property to its old-time attractiveness. For years previous to his taking possession both house and grounds had been allowed to fall into shameful neglect. In 1920 "Clifton" was sold to Norman Corstorphan, Esq.

[30] See foot-note 23, above, 152.

occasional beech, white maple, poplar, or juniper, from which it emerged to curve gracefully, spiralwise, across and around the slope. The entrance to this driveway was marked by the usual sign manual of a provincial first family, a keeper's lodge and a pair of ornamental gates. Within the generous enclosure which made up the estate at Clifton, Haliburton found it necessary to effect a large amount of laborious levelling and filling, owing to the frequent pockets and "sink holes" which characterize the topography of Windsor, before the property could be rendered altogether healthful or convenient for habitation, but once the task was finally accomplished the results were pronounced highly satisfactory. Indeed Haliburton succeeded in transforming Clifton into a good deal of a model homestead, and such he probably meant it to be, as much for an instructive example to his less thrifty and less prosperous neighbors as for his own personal gratification. To the south and east of the house he laid out a fruit and flower garden, surrounded by a hawthorne hedge, and crossed at intervals by pathways edged with box, where he practised a system of scientific horticulture that brought him famous returns in the way of harvests and credit for careful husbandry. A progressively conducted farming experiment carried on, probably between the river and the immediate surroundings of Clifton, also added to his reputation for helpful enterprise. And an ingenious wind-mill, reputed to have been the product of his own Yankee inventiveness, was a daily object lesson in the easy performance of much of the kind of work that those who lived in the vicinity had long been accustomed to doing by hand. But it was rural beauty even more than practicality that Clifton was intended to exemplify. To this end shaded walks were cut through the woods to the haunted "Piper's Pond" and other romantic

spots close at hand, a lawn was seeded down at the rear, now the front, of the house, and quaint rustic seats and nooks were devised among the banks of shrubbery that grew wild or were planted at various points of vantage.[31]

In the designing and direction of these more decorative features about the place, as well, doubtless, as of those more useful, Haliburton had the enthusiastic assistance of his wife, who is said to have been thoroughly well-skilled in the art of landscape gardening. At Clifton, in the midst of its natural and artificial charms, the Haliburtons dispensed the warm hospitality for which they became widely known among those fortunate enough to have the social standing required of persons admitted to friendly intercourse with the family. The line between eligible and ineligible seems to have been drawn rather rigidly, however, and the establishment and maintenance of his household in the somewhat pretentious style that was generally considered to prevail in its improved setting appears not to have added greatly to Haliburton's personal popularity with his fellow townsmen, and Windsorians may still be found who can tell of the resentment felt at the fact that the Judge himself never condescended to walk from Clifton to the post-office, but was always driven into town by his coachman![32] Possibly, though, this tradition is merely a

[31] The details used in this attempt at a description of Clifton as it was were compiled from R. G. Haliburton, in *Haliburton; A Centenary Chaplet,* 17; Sir James Alexander, *L'Acadie; or Seven Years Explorations in British America,* II, 229, 230; G. E. Fenerty, *Life and Times of the Hon. Joseph Howe,* 45, 46; The Halifax *Times,* Aug. 11, 1840; Lieut. Col. Sleigh, *Pine Forests and Hackmatack Clearings,* 27; N. P. Willis, *Canadian Scenery,* II, 112, 113; and personal information supplied by the Hon. M. Grant Goudge, Canon F. W. Vroom, and F. A. Shand, Esq., of Windsor, and the late Maynard Bowman, Esq., of Halifax, N. S.

[32] Apparently Haliburton was not above handling the reins himself, however, for natives of Windsor may also be found who

survival of an ill-feeling kindled against Haliburton in the country at large by his constant habit of referring to the humbler classes as the "yeomanry" or the "peasantry."

In spite of his perhaps overdone gentility, and his too conscious efforts, by means of an easily misunderstood example, to advance the standards of Windsor's domestic economy and its methods of exterior decoration, Haliburton nevertheless contributed much to the progress and development of his native town, and was known there for something else than for holding an official sinecure, or being a gentleman-farmer, and, later, an eagerly read humorist. He was president of the local agricultural society and strove assiduously to make its meetings and educational purposes a decided advantage to the community. On his property in the business district of the town he had erected by 1840 as many as six stores,[33] and along the river bank a considerable length of wharfage. Under the hillside just below Clifton he opened up what must have been for a time at least a profitable gypsum quarry, if the immense excavation that yet remains to mark its site is any indication of the amount of "plaister" removed. From the western end of this quarry to the wharf where the gypsum was hauled for shipment he built a crude though labor-saving tramway upon which horse-drawn cars were operated, often referred to as the second line of "rail road" to be laid down in Nova Scotia. But the undertaking of most importance to Windsor's well-being with which Haliburton was intimately connected was the construction of a bridge across the Avon, a piece of difficult engineering that should have been put through by the government,

---

tell of frequently seeing him about town in his high-wheeled gig, driving a familiar gray horse popularly known as "Old Clay," nicknamed from Sam Slick's inimitable steed.

[33] Halifax *Times*, Aug. 11, 1840.

since it filled a long standing public need, by enabling travellers from the western counties to Halifax to avoid a dangerous ford, impassible except at low water, or an irksome roundabout journey by the way of another crossing farther up the river. Several times abandoned through the failure of different schemes for financing it, it was finally attempted by a joint stock company of which Haliburton was president,[34] looking to the receipt of tolls for a return upon its investment. The successful completion of this enterprise in 1837 was regarded by Haliburton as one of the proudest achievements of his career as a man of business. *"One such work as the Windsor Bridge,"* he said, while the process of its building was still unfinished, in the soon to be familiar manner of his *alter ego, "is worth all your laws, votes, speeches, and resolutions for the last ten years, if tied up and put in a meal bag together. If it tante I hope I may be shot."* [35] That Haliburton generously diverted some of his by no means excessive wealth (which it is probable was never more than that of a provincial citizen in a little beyond ordinarily comfortable circumstances), as well as much of his superabundant energies, to the betterment of his birth-place, we have the satisfaction of knowing on the authority of so unbiased and dependable an individual as Bishop John Inglis himself, the prelate whom Haliburton had so wantonly assailed in the House of Assembly.[36] Writing in his *Journal of Visitations,* under date of August 21, 1844, Bishop Inglis notes respecting the location of Saint Matthew's Chapel of Ease, then about to be put up for the accommodation of the Anglican worshippers living in Windsor at an inconvenient distance from the regular parish church, which

[34] *Novascotian,* Nov. 5, 1835.
[35] *The Clockmaker,* first series, 207.
[36] See above, 107–109.

at that time stood in the outskirts of the town: ". . . All difficulty respecting a site (a difficulty continually occurring, and not easily overcome), was here removed at once by the liberality of Mr. Justice Halliburton [*sic*] whose residence was in Windsor. As soon as the fittest spot was determined upon, he purchased it at an expense of more than 70 *l.*, and presented it to the parish."

CHAPTER VIII

PROVINCIAL POLITICS

The close of the legislative session of 1830 is memorable in Nova Scotian politics for the so-called "Brandy Dispute," the most decisive disagreement that had yet occurred in the much strained relations of the Assembly and Council. The intensity of the passion and ill-will expressed in the debates of this time makes it clear why there should have been a general feeling of thankfulness over Haliburton's retirement to the comfortable and dignified silence of the Bench, a thankfulness in which Haliburton himself doubtless joined. Never before had there been such out-spoken denunciation of the Council's arrogance, or such humiliating confessions of the Assembly's helplessness. In 1826 the legislature had passed a revenue bill raising the duty on brandy imported into the province from one shilling per gallon to one shilling, four pence, but through some misunderstanding, real or pretended, the customs officers continued to collect the duty at the old rate of a shilling per gallon. The Assembly, however, had remained in ignorance of this defeat of its intentions, until by an ironical twist of fate it developed that not only was the extra four pence being illegally remitted to the liquor importers but that the firm profiting most by the remission had for its senior partner the Honorable Enoch Collins, one of His Majesty's Councillors. The investigation which led to this discovery was occasioned by a petition received in the Assembly from Mr.

Collins's firm, Messrs E. Collins and Company of Halifax, praying compensation for loss sustained in paying liquor duties in doubloons taken at what was claimed to be less than their real value, so that a member of the Council appeared in the doubly humiliating light of robbing the provincial treasury through evasion at the same time he was seeking public support in sustaining a doubtful claim against it. As it happened, the revenue law of 1826 expired during the session of 1830, and the Assembly, indignant at the disregard shown for the old measure, set to work to frame a new one that would leave no doubt that it meant the extra four pence to be collected. The Council, however, withheld its assent to the new bill on the ground that commerce could not bear the increased burden of taxation it imposed. Though the amount in dispute formed but a trifling proportion of the revenue, the Assembly stoutly refused to sacrifice it, basing its stand on its former contention [1] that the Council had no right to attempt to enforce a change in a revenue bill by rejecting it. Not even a joint conference with the Council could weaken this decision. While the dispute raged the old law expired, and the liquor dealers hurried to withdraw their stores from the bonding warehouse before new duties could be imposed. To save what it could of the revenue at stake, the Assembly brought in a bill to revive the old law, with the amount of brandy duties left blank until agreed upon in a committee of the House as a whole. Meantime a search of the Council's journals had revealed the disgraceful fact that the first bill had been rejected on the advice of a committee that had included besides Mr. Collins the two collectors who had allowed the extra duty to go unpaid, and that the determination of the Council to reject the bill had been recorded before the conference with

[1] See above, 99, foot-note.

the lower House had been sought.[2] The Assembly was infuriated at this disclosure of the Council's lack of good faith, and voted thirty to five, every member being in his place, to fill the blank with the figures which had caused the loss of the original measure. The second bill was rejected by the Council on the technical objection that it brought up a matter already disposed of. Since neither side showed the slightest disposition to give way to the other, further transaction of public business was impossible, and the legislature was prorogued, with the revenue bill still unpassed and a consequent loss to the treasury variously estimated at from £25,000 to £40,000.[3]

Fortunately, before the dispute between the two Houses could be renewed in another session, the people at large had an opportunity of registering their opinion on the stand taken by their representatives. The death of George IV in the summer of 1830 necessitated, according to British practice, the election of a new House. In the campaign that followed, the issues of the recent session were debated with unprecedented violence before throngs of greatly excited electors. The will of the people was unmistakeable. Of the leaders of the popular cause all but one were returned. For the Council there was left only the choice of continuing to cripple the country's revenue or yielding. When the new appropriation bill, specifying the increased duty on brandy, came up in 1831, it was quietly passed without alteration or suggestion.

The solid front of opposition which, when first called together, the new Assembly had presented to the Council's control at once disappeared. If the public expected its representatives to take advantage of their temporary success and force the fighting to something like a decisive

[2] Israel Longworth, *Life of S. G. W. Archibald,* 58.

[3] See Longworth, *Archibald,* 59; Campbell, *Nova Scotia,* 275.

finish, it must have been bitterly disappointed. In those days there was nothing in the House corresponding to party solidarity as we know it now. Upon every question there was a new alignment of forces depending, theoretically, upon each member's honest reaction to the merits involved, but practically upon the success or failure of some few individuals, more interested than others, to secure a following for the moment. Only the continuous pressure of an all-important public need served to secure anything like permanency in party divisions. In the case of the House elected in 1831, once the danger to the revenue had been passed and the Assembly's ability to enforce its will in the question at issue had been demonstrated, all show of a concerted or prolonged opposition to the Council ceased, and the proceedings of the provincial legislature from 1831 until well on towards its dissolution in 1836 were not more disturbed by openly unpleasant relations between the two branches than those of any previous period of the same length.

No demands were made upon the Council to compensate for the humiliation and loss imposed upon the people by its rejection of the revenue bills of the preceding session. There was no general agitation for the reconstitution of its unrepresentative personnel. And no condemnation of its continued secret deliberations was spoken. The Assembly, apparently more desirous of getting the public business done in decency and in order than of anything else, recorded no protest when the Council, as though to show its renewed contempt for the people, in recommending a candidate for the post of Chief Justice, left vacant at this juncture, passed over the Speaker of the House, the popular choice, and successfully urged instead the appointment of one of its own members.[4] But if the Council

[4] Howe, *Letters and Speeches*, I, 6; Longworth, *Archibald*, 107.

lulled itself into the belief that it was once more firmly established in unchecked political dominance, it was grossly deceiving itself. Beyond the Assembly's complacency and acquiescence were unmistakable signs of the gathering storm of popular disfavor that was to sweep the whole structure of the old colonial system on to the world's then rapidly accumulating scrap-heap of outworn governing devices.

Had the Council been at all discerning it might have observed in the acute financial distress of the time sufficient warning that the provincial people had reached that stage of desperation when revolutionary change of some kind is imminent. Such general discontent as was then apparent had not been known in the previous history of the colony.[5] Face to face with the collapse of their prosperity and the failure of their material resources, the Nova Scotians might well have despaired, as they did. Deep-rooted and various as were the causes that had produced these lamentable conditions, they may for the most part be summed up in a single phrase: over-dependence upon the Colonial Office and the Imperial Treasury. It was the inevitable result of the very system of which the obsolete Council of Twelve stood as a symbol. As necessary as it may have been for the initial development of the country, there can be no question that Nova Scotia's too willing dependence upon England's paternal treatment had brought disaster among its consequences. Its unfortunate effects can be noted in the case of each successive group of early settlers to arrive in the province after the English had established permanent control there.

[5] G. R. Young, *The British North American Colonies*, 54, footnote; John Homer, *A Brief Sketch of the Present State of the Province of Nova-Scotia, with a Project for its Relief*, 1–3; *Novascotian*, May 30, 1839; *Acadian Recorder*, Jan. 16, 1913, quoting its first issue of 1835.

For nearly a century the colonists from England who had founded the city of Halifax, and their descendants, had been conspicuous for a lack of self-reliance as a result of their dependence upon Imperial bounty and government contracts.[6] Even the thrifty New Englanders were not wholly unattended by the evils of dependency, for among their numbers were a few of the ne'er-do-well, backwoods-hunter type attracted by the government's liberal offers of free land and necessary supplies.[7] But it was the Loyalist migration that disclosed and developed to the fullest extent the weakness of depending on a government's generosity and too slightly conditioned offers of assistance. As a class the Loyalists have generally been held a most fortunate addition to Nova Scotia's population, but it is a question whether their coming was the unmitigated blessing it has long been considered to be. For while it is true that the establishment of "a bishop's see, a college and a literary magazine"[8] followed their arrival, and that good roads, improved schools, and better public institutions generally must be credited to their efforts, the immediate value of their much talked-of culture, superior education, and high professional standards,

[6] R. G. Haliburton, *Intercolonial Trade our only Safeguard against Disunion,* 6, 7; G. W. Hill, *Memoir of Sir Brenton Halliburton,* 28. Note R. G. Haliburton's amusing testimony on this point: "Nay, to such an extent did this liberality [of the British government] go, that the first natives of Halifax came into the world with the aid of the government, the Lords Commissioners of Trade and Plantations having provided an official *Lucina,* who in common with the other Heads of Departments, drew her salary from the Imperial Treasury, and her *protégés* were in due time baptized and buried by ecclesiastics paid by the government." Work cited, 6.

[7] Abraham Gesner, *Industrial Resources of Nova Scotia,* 6.

[8] Archibald MacMechan, "Confederation in Nova Scotia," *University Magazine,* XVI, 575.

at the price paid for them may well be doubted. The very fact of their superiority, and that they were from the professional, military, and merchant classes, and in many instances used to the conditions of city and town life in the compactly settled districts of the eastern states, made them, in the large numbers in which they came, an acquisition of questionable desirability to a wilderness community in crying need of farmers and laborers.[9] Partly because their sacrifices and service in the cause of the Empire won ready consideration for their claims, and partly because their solid voting strength effectively supported them, it was not long before whatever places of emolument lay in the gift of the government fell to their possession.[10] Probably they deserved all they got, and doubtless they were well fitted for the offices they held, and returned full value in the way of duty performed, but having established themselves as an office-holding class, they continued such as a political tradition, and, with notable exceptions of course, became the party in support of the governing system as they found it, a system of subserviency. Though they were in control they were yet dependent, and dependent they elected to remain. Upon the country at large the effect of the Loyalists' success in prosecuting their claim to office was a wide-spread mania for place-hunting. There was a time in Nova Scotia when almost every family sought some reward or bounty from the government.[11] And from the period of the Loyalists' coming, onwards, the people of the province very generally

[9] *Cambridge Modern History,* X, 688; Gesner, *Industrial Resources,* 8–10; Haliburton, *Hist. and Stat. Acct. N. S.,* II, 195, 196, 359; Homer, *Brief Sketch,* 14, 15; F. Bradshaw, *Self-Government in Canada,* 310.

[10] Haliburton, *General Description,* 160; Murdock, quoted by Eaton, *Hist. King's Co.,* 449.

[11] Gesner, *Industrial Resources,* 9.

remained in a sort of chronic expectancy of a windfall, with a consequent inertia and lack of initiative in developing the country's resources. It was the political party whose example had very largely created this state of affairs that was still in power in the early eighteen-thirties.

During the French and American wars terminating in 1814–15, the unfortunate consequences of the spirit of dependence in Nova Scotia were greatly accentuated. The lavish expenditures of British capital in the province made the period one of apparent prosperity. But the wealth that resulted was purely adventitious. Some solid fortunes were indeed made, but in general it was an era of luxury, extravagance, speculation, and final ruin.[12] Upon the agricultural development of the country its effects were most disastrous. Farming had long been a despised occupation among the Nova Scotians,[13] and the Loyalists, coming in complete unfitness for a life of manual labor, and crowding into official and professional positions, had very probably contributed to the contempt in which it was held. Early in the war-period the farmers had been led to abandon their arduous and poorly rewarded attempts to grow grain by the high price paid for the more

[12] J. H. Marshall, *Brief History . . . Nova Scotia,* 38ff.

[13] "Strange as it may appear in England, where such opinions will be laughed at, the petty shopkeeper, who retailed rum, sugar, and tea; the pedlar, who carried about tape, thread, needles, and pins; the keeper of a common tavern or dramshop, the constables who served the writs or summons of the justice of peace, and the cheating horse-dealer; in short, all who made a living by scheming or rascality, considered themselves much more important persons than the truly more respectable, and assuredly more honest man who cultivated his own lands." John McGregor, *British North America,* II, 142, 143. See also Hugh Murray, *An Historical and Descriptive Account of British America. . . . Nova Scotia . . .,* II, 189–193; Homer, *Brief Sketch,* 1, 4.

easily produced beef and hay required for the extensive military and naval establishments at Halifax,[14] and their farms had gone uncultivated. When the inevitable time of declining prices and retrenchment came, the ill effects of too much easy money became apparent. The farmers in many cases refused to undertake the hard work of intensive cultivation, and their lands continued in neglect. In emulation of the speculating activities of the Halifax merchants, or possibly of what they believed the secret of the Americans' prosperity, numbers of them turned to "tradin'," [15] the one activity least needed in a country of failing food production and without the means upon which a substantial trade could be built. There were no manufactures worth mentioning [16] — the British trade restrictions had seen to that — and no protective duties to encourage any. The mining possibilities of the province were tied up in a Royal monopoly,[17] and lumbering and ship-building, prematurely undertaken, depleted the natural resources needed for future use, rather than encouraged their development.[18] As long as aversion to hard work drove the farmers into trafficking, agricultural methods, always backward in the province, lapsed toward the state of unprogressiveness they were in before the enthusiasm of the Earl of Dalhousie and the letters of "Agricola" [19]

[14] Homer, *Brief Sketch*, 3–5.

[15] Homer, *Brief Sketch*, 1–3; *A Word in Season To the Fishermen and Farmers of Nova Scotia* (pamphlet, "By a Mechanic," Pictou, 1836), 13.

[16] *A Word in Season*, 11, 12; Gesner, *Industrial Resources*, 204, 205.

[17] Gesner, *Industrial Resources*, 283.

[18] *Ibid.*, 214, 215; Moorsam, *Letters*, 330.

[19] John Young, a Scotch emigrant to Nova Scotia, whose letters in the *Acadian Recorder*, in 1817, combined with the Agricultural Societies formed under the patronage of the Earl of Dalhousie,

had done something to improve them. Indolence [20] and intemperance [21] added their influence to continue a makeshift system of cultivation. The difficulty of obtaining cheap labor [22] contributed to the same result. With the depreciation of their property, the farmers' outlook became increasingly discouraging. Finally they began to lose faith in their land. Especially did they doubt its capacity to raise "bread corn," [23] the most essential crop in a community of diminishing wealth.

---

governor of the province at that time, stimulated for a while the improvement of farming methods. How badly the stimulus was needed is shown in this passage from "Agricola's" letters, quoted by McGregor, *British North America,* II, 145: "The principles of vegetation were so grossly misconceived, that few even of the farmers imagined that plants, like animals, stood in need of food, and manures of all kinds were either disregarded, or shamefully thrown away. The dung by many was suffered to accumulate about the barns, till it became a question of expediency whether it was less expensive to shift the site of the building, or remove such an intolerable nuisance, and several instances are recorded where the former alternative was preferred." Gesner, *Industrial Resources,* 177, gives another instance of the same sort: "A backwoodsman once told me that he raised wheat and potatoes upon a piece of ground until they would grow no longer; he then 'pitched it out for a rabbit patch and cleared a new bit.' Such rabbit pastures are seen in every part of Nova Scotia. . ." See also G. R. Young, *B. N. A. Colonies,* 117; *A Word in Season,* 11, 12; Homer, *Brief Sketch,* 22; Haliburton, *Hist. and Stat. Acct. N. S.,* II, 369, 370, 373. For evidence that these ruinous agricultural methods persisted until as late as the eighteen-forties, see Charles Lyell, *Travels in North America,* II, 189.

[20] Homer, *Brief Sketch,* 2; McGregor, *B. N. A.,* II, 189; *A Word in Season,* 11, 12.

[21] McGregor, *B. N. A.,* II, 182; Moorsam, *Letters,* 35, 69, 144; Haliburton, *Hist. and Stat. Acct. N. S.,* II, 357.

[22] McGregor, *B. N. A.,* II, 150; Murray, *British America,* II, 189–193; Moorsam, *Letters,* 204; Gesner *Industrial Resources,* 66.

[23] Homer, *Brief Sketch,* 3, 15.

The growth of wheat in Nova Scotia, it must be admitted, was an undertaking attended with a good deal of risk,[24] but the soil was well suited to the hardier kinds of grain.[25] Any willingness the farmers may have shown to attempt their production, however, was defeated by the false pride of the people, who refused to eat, except under necessity, bread made of coarse flour,[26] their taste for "superfine" brands having been fixed from the days of the Loyalist migration, when the drain imposed upon local resources by the sudden inflow of new settlers compelled the use of flour from the United States.[27] Even during the embargo period and the War of 1812, the desire for the finer breads had not been greatly curbed, the plentifulness of war-time money making it possible to pay the ruinous prices demanded to satisfy it.[28] Throughout the hard times following the peace, the consumption of American-made flour persisted.[29] And since the Nova Scotians produced little they could offer in exchange for a commodity they insisted was indispensable, they were forced to pay for it in hard cash, to the constant depletion of the already scarce supply of money in the province. To correct this situation by enforcing the production and consumption of domestic wheat, or other grain, at the time the Huskisson trade reforms were adopted,[30] a heavy duty was placed upon American flour imported into the colony, but coupled

[24] McGregor, *B. N. A.*, II, 150; Homer, *Brief Sketch*, 3; Haliburton, *Hist. and Stat. Acct. N. S.*, II, 367.

[25] Homer, *Brief Sketch*, 8 ff.; Haliburton, *Hist. and Stat. Acct. N. S.*, II, 368.

[26] Haliburton, *Hist. and Stat. Acct. N. S.*, II, 368; Homer, *Brief Sketch*, 2, 3.

[27] Homer, *Brief Sketch*, 3–5.

[28] *Ibid.*, 4.

[29] *Ibid.*, 5.

[30] See above, 75.

as this restriction was with the absurd requirement that all cargoes be landed at one port of entry,[31] it had only the effect of promoting smuggling,[32] and of providing the Americans who engaged in the illicit trading with a ready opportunity for introducing directly into the country districts their Yankee "notions,"[33] for which they doubtless carried away cash equally as hard as that demanded for their flour. Only the office-holding class whose salaries were paid or guaranteed by England could afford to affect indifference to the rapid disappearance of ready money from among the people.

There had formerly been a time when the Nova Scotians had been able to buy the American flour they consumed with the returns from their fisheries.[34] Then, cargoes of fish were carried to the West Indies, and there exchanged for island produce, which was, in turn, carried to the eastern coast cities of the United States, and there used to purchase the bread stuffs required at home. But the closing of the American ports to colonial shipping after 1818 put an effectual stop to one side of this commerce, and the admission of the Americans to the West Indian trade in 1830[35] seriously checked the other. The liberation of the West Indian slaves in 1833[36] produced a disturbance in the finances of the Islands which retarded the provincial export trade still further. Besides encountering the Americans in a losing competition in southern waters, the Nova Scotian fishermen found themselves in a more

[31] Halifax. Homer, *Brief Sketch,* 6, 7. Pictou and Sydney were opened later. Campbell, *Nova Scotia,* 299, 300; McGregor, *B. N. A.,* II, 152.

[32] Homer, *Brief Sketch,* 6, 7.

[33] *Novascotian,* June 11, 1835.

[34] Homer, *Brief Sketch,* 5.

[35] W. A. Dunning, *The British Empire and the United* States, 59.

[36] *Ibid.,* 71.

disastrous rivalry with them in the north. There the Yankee "smartness" of the bounty-paid [37] American skippers and crews proved so much more than a match for the leisurely methods of the local sailors [38] that, assisted by the laxness of the British revenue cruisers in enforcing the none too protective international fishing regulations, the intruders actually crowded the Nova Scotians out of their own waters.[39] Under such conditions the provincial fisheries were gradually reduced to secondary importance.[40] A loss of skill and self-respect took place among the fishermen parallel to that among the farmers, and brought them to a similar state of helpless dependence.[37] When their efforts were most needed by their country, they were drinking themselves into indifferent poverty,[40] or hiring themselves out to the Americans to assist in taking the catches that should have been their own.[37]

Meanwhile the diminution in the supply of the means of exchange went on until the people of the province were driven to the verge of panic. In an attempt to mend mat-

[37] Homer, *Brief Sketch,* 22–24.

[38] Homer, *Brief Sketch,* 22–24; Young, *B. N. A. Colonies,* 48ff.; Haliburton, *Wise Saws,* I, 148, 149, 273ff.; II, 157ff., 290ff., 308ff., *A Word in Season,* 91; *Novascotian,* June 11, 1835.

[39] Young, *B. N. A. Colonies,* 48 ff.; Haliburton, *Wise Saws,* as in preceding note.

[40] *A Word in Season,* 9. "To see hundreds of those who call themselves fishermen collected in groups upon the Beach of Crow Harbour and Fox Island, with a dip net in one hand ['in confident expectation that the fish will run aground,' *Ibid.,* 9] and a Bottle of Grog in the other, may well afford the means of ridicule and merriment to their more frugal and calculating rivals, and [*sic*] who with equal success holds [*sic*] the plough, mows the meadow, jigs the Mackerel, hooks the Cod; furnish provisions for Cash to Nova Scotians, supplies foreign markets with the produce of our Gulphs and Harbours, and 'guesses,' that Nova Scotians, are 'tarnation lazy' or monstrous stupid." *Ibid.,* 23.

ters the government and the monopoly bank it tolerated [41] issued a supply of paper currency, unredeemable in gold or silver.[42] The only possible result of this futile eleventh hour move was to revive speculation,[43] and to drive the precious metals from the country more rapidly than ever.[44] The long impending crash occurred in 1833–34. Among the alarming number of business suspensions reported were those of some of the supposedly soundest commercial establishments of Halifax.[45] Two successive crop failures served still further to increase depression and brought Nova Scotia once more to that state of necessity implied by the nick-name "Nova Scarcity" given the country in derision by the Americans at the time of the Loyalists' flight. The crowning misery was the outbreak of the cholera in 1834.[46] Emigration of the now thoroughly disheartened provincials to the United States threatened to become a rout. With plague, panic, and poverty combined, came the most melancholy period in the history of Nova Scotia.[47]

Happily it was short. With the deepest distress came also the first signs of a definite reaction towards hopefulness. Throughout the years of advancing economic collapse there had been from time to time, as we have seen,

[41] See above, 74.

[42] Campbell, *Nova Scotia,* 291.

[43] Homer, *Brief Sketch,* 1.

[44] Howe, *Speeches and Letters,* 1, 7.

[45] *Novascotian,* May 30, 1839.

[46] *Novascotian,* May 30, 1839; *Acadian Recorder,* Jan. 16, 1913.

[47] *Novascotian,* May 30, 1839; *Acadian Recorder,* Jan. 16, 1913. "Since the settlement of this province by the British, perhaps there never was a period when complaints of hard times, scarcity of money, stagnation of trade, bankruptcies, loss of confidence among merchants, and all kinds of evils attendant on a general embarrassment, were so prevalent and universal as the present." Homer, *Brief Sketch,* 1.

evidence of an accompanying political discontent. The spirit that was then general among the people of western Europe and America was stirring among the Nova Scotians as well.[48] If their first move towards self-sufficiency was an attempt towards a greater share of control in their government, it was because there were abroad in the province the same democratic desires as passed the Reform Bill of 1832 in England, and placed Andrew Jackson in the President's chair in the United States. Nova Scotia had had more than enough of a government that made it dependent entirely upon the good will or the good intentions of Great Britain, and was about ready to try the experiment of taking its affairs into its own hands. In the House of Assembly, however, after the peaceful termination of the "Brandy Dispute," there was little indication that the country was seething with political restlessness. During the session of 1834, indeed, Mr. Stewart, who in Haliburton's day in the Assembly had been the ablest defender of the Council, moved a set of resolutions condemning the unrepresentative character of the upper House.[49] It was a striking concession to the popular feeling, but nothing came of it. Then suddenly the storm broke in an unexpected quarter. On January 1, 1835, Joseph Howe published in *The Novascotian* a letter signed "The People," making open charges of corruption and inefficiency against the magistrates who governed the city of Halifax. It marked the opening stages of the last battle against the Council's dominance. Halifax, at that time still unincorporated, was governed by a board of magistrates who owed their appointment to the Council, and were accountable to it alone. Their rule was entirely without responsibility to the people of the city, and was as notoriously dis-

[48] Young, *B. N. A. Colonies*, 8, 9.
[49] Howe, *Speeches and Letters*, I, 7.

honest as Howe's correspondent had charged.[50] Any attack upon them was an attack on the Council, and "The People's" letter could be interpreted only as an indication of the growing determination to begin the general reformation of the country by first breaking the control of the upper branch of the legislature. Interest as to the immediate consequences of Howe's temerity ran high, but the public was not kept long in suspense. Howe was indicted on a charge of criminal libel. Told by the lawyers that he had no case, he undertook his own defense, and after a six hours' address to the jury, in which he astutely appealed to their love of British fair-play and their interest in the freedom of the press, gained in ten minutes the verdict "Not guilty." The magistrates at once resigned.[51] Enthusiasm over the result of the trial was unrestrained, and for the moment Howe was a popular hero. But it is doubtful if many among those who kept double holiday in their joyous excitement over the acquittal and the bright prospects of better government for Halifax divined that the real significance of the occasion was the discovery of a leader to head the cause of expectant democracy for the country as a whole.

As yet, however, Howe had no very definite plans for a province-wide campaign of reform. The descendant of a Loyalist,[52] he had been brought up in the strictest Tory tradition, and only gradually did he become the advocate of principles of radical change.[53] So far, he had progressed to the point of accepting the ideals of the British constitution as his model for colonial government, and was re-

[50] *Ibid.*, I, 23–72.
[51] *Ibid.*, I, 23.
[52] Calnek-Savary, *Hist. Co. Annapolis*, 288.
[53] Rev. G. M. Grant, "The Late Hon. Joseph Howe," *Canadian Monthly*, May, 1875, 381.

solved that he and his fellow Nova Scotians, equally with the people of England, should be Britons in fact as well as in name.[54] But beyond securing the incorporation of Halifax, and a reconstruction in the Council that would insure some measure of responsibility, probably by making it elective and purely legislative, it is doubtful if at this time he saw very clearly what was necessary to realize his purpose. For the present, the attainment of even so obviously needed changes was compelled to wait on opportunity. While it waited, Howe busily plied the weapons of reform provided by his control of *The Novascotian,* and set himself valiantly to rousing the provincial people from their state of despondency into faith in themselves and their country's resources. He plainly told the members of the Assembly to do the bidding of their constituents or give way to better men.[55] In a sequence of able articles he urged the building of a government railway from Windsor to Halifax, designed to promote both agriculture and fishing by bringing the Bay of Fundy districts within easy reach of the Halifax markets.[56] By all the arguments at his command he endeavored to convince his readers that the deplorable state of the province was due to temporary causes, and that the certainty of its future prosperity was warrant for taking an optimistic view of the situation. All that was needed to tide over the crisis, he insisted, were energy and perseverance. Following his lead, thinking persons throughout the country everywhere discussed in letters to the press various phases of the questions of the hour, from every possible point of view. But cheering words and eager discussion alone were not enough. The Nova Scotian habit of lethargy was too

[54] *Ibid.,* 381, 382.
[55] Howe, *Speeches and Letters,* I, 7.
[56] *Ibid.,* I, 83.

deeply ingrained to be easily broken. "This Province must be more severely scourged than it has been, before it thoroughly awakes," wrote Howe [57] in the summer following his trial. It was a hard saying and probably thoughtless in its exaggeration. But Howe was prepared to apply at least the lash of satire as part of the needed discipline. On September 24, 1835, he began the publication of an anonymous series of articles called "Recollections of Nova Scotia," destined to have no inconsiderable influence in bringing the people of the province to a realization that their helplessness was not necessary, and that only their lack of effort was responsible for their failure. It was the contribution of his friend Haliburton to the general flood of comment and advice at that time flowing through the columns of *The Novascotian.* The series had not been completed when, to meet the insistent demand for its appearance in book form, it was added to and republished as *The Clockmaker.*

[57] *Novascotian,* July 16. 1835.

CHAPTER IX

THE CLOCKMAKER, FIRST SERIES

HALIBURTON'S personal acknowledgment of the purpose of his satire and of the means employed to give it effectiveness was thus reported in *The Novascotian*[1] at a time when the beneficence of his intentions as a critic of provincial follies stood badly in need of being made unmistakably clear:

"Shortly after the History of Nova Scotia was written I retired into private life, and, having more leisure than before, I felt I had not accomplished all I wished [in writing the History], that though something had been attained there was still much more to be done. It occurred to me that it would be advisable to resort to a more popular style, and, under the garb of amusement, to call attention to our noble harbors, our great mineral wealth, our healthy climate, our abundant fisheries, and our natural resources and advantages, arising from our relative position to the St. Lawrence, the West Indies, and the United States, and resulting from the circumstances of this country being the nearest point of the American continent to Europe. I was also anxious to stimulate my countrymen to exertion, to direct their attention to the development of these resources, and to works of internal improvement, especially to that great work which I hope I shall live to see completed, the rail road from Halifax to Windsor, to awaken ambition and substitute it for that stimulus which is furnished in other but poorer countries than our own by necessity. For this purpose I called in the aid of the Clockmaker."

[1] June 13, 1839, in an account of the public dinner given Haliburton at Halifax previously referred to. See above, 123, and below, 281–285.

In this acknowledgment there is rather more of assurance than the state of the country warranted when Haliburton's labors of reformation began. A tradition in the Haliburton family according to which the satirist's purpose was "to awaken Nova Scotian people to the fact that they were making themselves poorer every year by their importations, [since] even their Horse shoes and the nails for the coffins came from the Mother Country" [2] reflects more closely the actual conditions then prevalent in the province.

The Clockmaker, professionally more familiar as the clock pedlar, whom Haliburton called upon to assist him in stimulating the Nova Scotians to action, was a sharp-witted if garrulous Yankee, since become the most widely known of his class, one "Samuel Slick, of Slickville, Onion County, Connecticut," speaking, except when allowed by the moral earnestness of his creator to forget himself, what evidently passed current for the dialect of New England. No choice could have been shrewder. It combined the advantages of allowing Haliburton to express himself through a character that in many respects it was natural for him to assume, owing to his descent from New England stock,[3] "tolerable pure yet, near about one half apple sarce, and tother half molasses," [4] and through one that made just the sort of authoritative appeal to the Nova Scotians permitted by their mistaken admiration and envy for an American successfully engaged in the all too seductive occupation of a trader.[5] And at the same time it avoided exciting, and perhaps checked, the local zeal for

[2] Georgina Haliburton, Manuscript.

[3] See above, 5–13.

[4] *The Clockmaker*, first series, first edition, 60. Other references to the first series of *The Clockmaker* are also to the first edition.

[5] See above, 169.

such a calling, by holding up to ridicule its essentially parasitical nature, and by bringing to light its steady impoverishment of the province. As another mouthpiece for his opinions, Haliburton introduced into his book a secondary character, "the Squire," whom the itinerant vender of clocks accompanies as travelling companion. The transcriber of the "sayings and doings" of the loquacious Yankee, and a lawyer progressing about the country from one professional appointment to another, the Squire is readily accepted as the author in his own person. Apart from an occasional interrogation or prompting, it is not he, however, but Sam Slick alone who does the talking in *The Clockmaker*. But that Sam Slick, a Yankee, and the representative of a traditionally democratic class, should deliver Tory sentiments for his own, as he did, was a perversion that not even his unusual gifts of emphatic expression could justify. Hence it is that we find him in the speeches politically most out of character, made to quote both his father, who, though a hero of Bunker Hill, still had doubts of the necessity and benefits of the Revolution,[6] and "minister," the Rev. Mr. Hopewell, who is more truly British than his nationality would lead one to suspect; and thus we gain a fairly intimate acquaintance with two other characters Haliburton later put to important uses.

It was the uninterrupted flow of Sam Slick's conversation, with its succession of sharp comment, apt illustration, and grotesquely didactic tales, that was relied upon to point the contrast between American keenness and Nova Scotian indifference, and to stir the provincials into some profitable employment of their resources, time, and ability.

"When reason fails to convince, there's nothin left but ridicule. If they have no ambition, apply to their feelings, clap a blister

[6] *Clockmaker*, first series, 194–200.

on their pride, and it will do the business. It's like puttin ginger under a horse's tail; it makes him carry up real hand*sum*, I tell you." [7]

But the ridicule of *The Clockmaker* was directed not only at the Nova Scotians. The Americans came in for their share, too, and Sam Slick was bound to draw attention to the superior natural advantages of the colonists, and the desirability of British institutions, even if the people at home had to smart for it. The book consequently afforded its author the double opportunity of speaking his mind to his countrymen and to their neighbors at the same time. Sam Slick described it properly when he said with a pride that was justifiable:

"It wipes up the blue noses considerable hard, and don't let off the Yankees so very easy neither, but it's generally allowed to be about the prettiest book ever writ in this country; and although it ain't altogether just gospel whats in it, there's some pretty home truths in it, that's a fact." [8]

To equip his pedlar-preacher with the necessary stock in trade to win an auditor or drive home a truth, Haliburton drew upon an apparently unfailing supply of humorous anecdote and adventure. Where he found his material, it is almost impossible to say with certainty. His powers of invention would account for some of it, of course, but we have Sam Slick's own testimony that he gathered it mostly from first-hand observation along the road as he followed the various circuit courts as advocate or judge.[9] The rest of it, one may safely surmise,

[7] *Ibid.*, 69.

[8] *Ibid.*, 3.

[9] "'Where on airth,' says one, 'did he get all them queer stories he has sot down in his books, and them Yankee words, don't it beat all natur?' 'Get them?' says another; 'Why he is a sociable kind

came partly from the customary interchange of "good stories" among the legal fraternity and others at the semi-annual, or more frequent, sittings of the Inferior or Supreme Court, partly from the "Varieties" columns of the newspapers, local and foreign, commonly read in his time in Nova Scotia, and partly from the inevitable backwash of American political gossip which reached the province through other departments of the press, or by word of mouth. If "the Major" of "The Club" group was a portrait drawn from Haliburton, as it seems to have been, in part at least,[10] then as far back as 1828 he had begun the custom which never left him of collecting amusing and extravagant tales, and was already famous among his intimates for his racy and vivid "Recollections of the Peninsula,"[11] almost certainly the precursor of his "Recollections of Nova Scotia," which became the first of the *Clockmaker* series. What he had probably done with these tales or reminiscences in the interim was to give them a local application, often far-fetched, throw them into the Yankee dialect, and invent or discover his clock-vending Sam Slick to speak them. Whether the choice of a pedlar as his chief spokesman was a stroke of consummate genius, or the fortunate acceptance of some random suggestion,[12] will perhaps never be known, but there is

---

of man, and as he travels round the circuits, he happens on a purpose, accidentally like, with folks, and sets 'em talking, or makes an excuse to light a cigar, goes in, sets down and hears all and sees all.'" *Attaché*, first series, II, 18.

[10] See above, 121, foot-note.

[11] *Novascotian*, May 8, 1828.

[12] R. G. Haliburton accepts his father's choice of Sam Slick for the purpose of his satire as an accident pure and simple, and in support of his belief tells the following anecdote; "On his [Haliburton's] arrival in London [in 1838], the son of Lord Abinger . . . who was confined to his bed, asked him to call on his

the bare chance that he took his cue from a correspondent in *The Novascotian*[13] who understood perfectly the possibilities of the character, and foretold precisely the use which was to be made of him:

"... No man, Sir, be his situation or profession what it may, can feel the pulse of the community, or form an estimate of their moral and physical standing with the accuracy of the pedlar — the guest, alternately of the rich and the poor, the learned and the unlearned, the religious and the irreligious; he converses with them on equal terms — hears their opinions of men and things — brightens with them in the recital of their hopes and sympathizes in their anticipated evils. It follows that the pedlar is the man to give the true state of the public mind upon questions of general interest, and these, Mr. Editor, may be classed in three leading divisions: Politics, Trade and Religion, and the greatest of these is politics. ..."

If Sam Slick at the outset of his endeavors to read the Bluenoses a lesson almost wholly ignored the third member of this trilogy, and confined his religious discussion to pointing out the evils of church schism,[14] and to deprecating the pamphlet war on infant baptism then raging in Nova Scotia,[15] it was a deficiency more than made good in his

---

father, as there was a question which he would like to put to him. When he called his Lordship said, 'I am convinced that there is a veritable Sam Slick in the flesh now selling clocks to the Bluenoses. Am I right?' 'No,' replied the Judge, 'there is no such person. He was a pure accident. I never intended to describe a Yankee clockmaker or Yankee dialect; but Sam Slick slipped into my book before I was aware of it, and once there he was there to stay.'" (*Haliburton: a Centenary Chaplet*, 25, 26.) J. F. Tupper (*The Canadian Academy*, March, 1910, 5) tells the identical anecdote to demonstrate that Haliburton in his reply to Lord Abinger *inadvertently* let slip the secret of his authorship of *The Clockmaker!* See below, 201–203.

[13] For June 26, 1834.

[14] *Clockmaker*, first series, 195 ff.

[15] *Ibid.*, 153 ff.

later ventures in public instruction. To his concern in trade and politics there was no limit, however, and he reflected accurately the popular interest of the day by placing the emphasis decidedly on the latter, in spite of the Squire's assertion that he hated politics as a subject of conversation,[16] and his own repeated opinion that over-indulgence in political talk was the ruination of the country.[17]

Nothing could better demonstrate the uncertainty that in 1835 existed in Joseph Howe's mind as to what the reformation of the provincial government definitely demanded than his willingness to publish Haliburton's views, as expressed by Sam Slick, on the political situation then confronting the people of Nova Scotia. The position which Haliburton had by this time come to hold in respect to the differences between the public and the authorities bore little resemblance to that he had occupied in the House of Assembly. There was still a slight disposition to maintain himself independently between the lines, but more generally he showed a strong and consistent inclination to support the Council as it was, with as little concession to the growing desire for change as possible. His old propensity to run amuck in tilts with both parties had given way to a discreetly benevolent attitude towards each, so long as neither menaced the other. But he left no doubt that in his mind the danger lurked on the popular side, and should be checked by warnings against drastic action. An outbreak of unseemly conflict was to be guarded against at all costs. In his country's crisis, mutual exchange of confidence, avoidance of extreme measures, and devotion to the existing order, was the course Haliburton advised, the very course Howe was

[16] *Ibid.*, 193.

[17] *Ibid.*, 17, 18, 78, 79, 81, 109, 129, 130, 133 ff., 209.

to find impossible to follow, however much he may have wished to adopt it.

According to *The Clockmaker,* four alleged cardinal evils existed in Nova Scotia — "the Council, the Banks, the House of Assembly and the Lawyers." [18]

"Now there may be something wrong in all these things," admits Sam Slick, "(and it can't be otherwise in natur) . . . but change them all, and its an even chance if you don't get worse ones in their room. It is in politics as in horses: when a man has a beast that's near about up to the notch, he'd better not swap him; if he does, he's een amost sure to get one not so good as his own. *My rule is, I'd rather keep a critter whose faults I do know, than change him for a beast whose faults I don't know.*" [19]

This was Haliburton's typical attitude. The Council, the banks, and the lawyers would of themselves have been negligible reasons for dissatisfaction were it not for the demagogues [20] spouting such political clap-trap as the following:

"Feller citizens, this country is goin to the dogs hand over hand; look at your rivers, you have no bridges; at your wild lands, you have no roads; at your treasury, you hante got a cent in it; at your markets, things dont fetch nothin; at your fish, the Yankees ketch em all. There's nothin behind you but sufferin, around you but poverty, afore you, but slavery and death. What's the cause of this unheerd of awful state of things, ay, what's the cause? Why Judges, and Banks, and Lawyers, and great folks, have swallered all the money. They've got you down, and they'll keep you down to all etarnity, you and your posteriors arter you. Rise up like men, arouse yourselves like freemen, and elect me to the Legislatur, and I'll lead on the small but patriotic band, I'll put the big wigs thro' their facins, I'll make 'em shake in their shoes, I'll knock off your chains and make you free." [21]

[18] *Ibid.,* 82.
[19] *Ibid.,* 83.
[20] *Ibid.,* 11, 32, 82, 83, 109–111.
[21] *Ibid.,* 201.

Least of all did the House of Assembly afford grounds for political unrest. To a people chafing under their lack of participation in anything but the most petty public affairs Haliburton offered only the empty consolation that the branch of the legislature which contained their representatives was not worth being concerned over. The Bluenoses, says Sam Slick,

"have nothin to fight about. As for politics, they have nothin to desarve the name, . . . Now with us the country is divided into parties, of the mammoth breed, the *ins* and *outs*, the *administration* and the *opposition*. But where's the administration here? Where's the War Office, the Foreign Office, and the Home Office? Where's the Secretary of the Navy? Where's the State Bank? Where's the Ambassadors and Diplomatists (them are the boys to wind off a snarl of ravellins as slick as if it were on a reel) and where's that Ship of State, fitted up all from the forecastle clean up to the starn post chock full of good snug berths, handsumly found and furnished, tier over tier, one above another, as thick as it can hold? That's a helm worth handlin, I tell you; I dont wonder that folks mutiny below and fight on the decks above for it — it makes a plaguy uproar the whole time, and keeps the passengers for everlastinly in a state of alarm for fear they'd do mischief by bustin the byler, or runnin aground, or gettin foul of some other craft. This Province is better as it is, quieter and happier far; they have berths enough and big enough, they should be careful not to increase 'em; and if they were to do it over again, perhaps they'd be as well with fewer." [22]

". . . But this little House of Assembly that folks make such a touse about what is it? Why just a decent Grand Jury. They make their presentments of little money votes, to mend these everlastin rotten little bridges, to throw a poultice of mud once a year on the roads, and then take a blowin time of three months and go home." [23]

This may have been proof enough that the Nova Scotians had "a government that lays as light on 'em as a down

[22] *Ibid.*, 109. [23] *Ibid.*, 151.

counterpin," [24] but it was hardly the sort of talk to reconcile them to it.

Between the supporters of the Assembly and those of the Council Haliburton insisted there was only the misunderstanding born of ignorance of one another. "*If they knew more of each other, I guess they'd lay aside one half their fears and all their abuse.*" [25] He did indeed admit the Assembly's chief objection to the Council, and the principal cause of complaint in the province, when he said of the upper House, "*power has a natural tendency to corpulency,*" [26] but having made this damaging admission, he allowed it no part in his further discussion of the quarrel between the two parties. Instead he was eager to dispel the current notion that the power of the Council was owing to its being made up of "great folk." [27]

> "No, say I dont call 'em great men, for there aint a great man in the country, that's a fact; there aint one that desarves the name; folks will only larf at you if you talk that way. . . . No, your great men are nothin but rich men, and I can tell you for your comfort, there's nothin to hinder you from being rich too, . . ." [28]

But of the power of wealth and vested interests he offered no denial whatever. Rather he argued that because "in our Banks, Rail Road Companies, Factory Corporations, and so on, every man's vote is regulated by his share and proportion of stock," therefore a man's share in the government of his country should be dependent on his holdings.[29] Haliburton's only criticism of the Council, in fact, lay in the indirect charge of the abuse of political influence, made in his condemnation of the appointments of pettifogging unprincipled rogues to positions in the magistrate's

[24] *Ibid.*, 17.
[25] *Ibid.*, 110.
[26] *Ibid.*, 111.
[27] *Ibid.*, 133.
[28] *Ibid.*, 134, 135.
[29] *Ibid.*, 193.

courts.[30] On the other hand he found fault openly with the Assembly for its occasional combativeness, and with the people who were continually urging it to "spunk up" to the "puss proud folks at Halifax."[31]

"As a disinterested man," says Sam Slick, "I say if the members of the House of Assembly, instead of raisin up ghosts and hobgoblins to frighten folks with, and to show what swordsmen they be, a cuttin and thrustin at phantoms that only exist in their own brains, would turn to, heart and hand, and develope the resources of this fine country, facilitate the means of transport — promote its internal improvement, and encourage its foreign trade, they would make it the richest and greatest, as it is now one of the happiest sections of all America — I hope I may be skinned if they wouldn't — they would I swan."[32]

The political sentiment behind all this harmonized but slightly, of course, with what Joseph Howe was saying week by week in *The Novascotian* with a vigor that was increasing with each issue. But as little as his friend's politics must have agreed with the development of his own, Howe found in *The Clockmaker* material in plenty that fitted well into his plans for stinging the provincial people into active realization of their country's worth and into readiness to exert themselves on their own behalf, and sufficient "home truths" in Haliburton's out-spoken observations upon the industrial situation in the province to neutralize the reactionary effect of his political views. The picture which Haliburton presented of the Nova Scotians was indeed in no sense flattering, but its honesty of purpose justified the limner in signing himself as he did,

[30] See the sketch called "Justice Pettifog," *Ibid.*, 23 ff. See also *Hist. & Stat. Acct. N. S.*, II, 336.

[31] *Ibid.*, 206.

[32] *Ibid.*, 113.

the "sincere friend and well wisher" of his country.[33] He told them frankly that they had only their laziness, their false pride, their gullibility, and the substitution of mere talk for enterprise, to thank for their plight.

"They do nothing in these parts," says Sam Slick, "but eat, drink, smoke, sleep, ride about, lounge at taverns, make speeches at temperance meetings, and talk about House of Assembly. If a man don't hoe his corn, and he don't get a crop, he says it is all owing to the Bank; and if he runs into debt and is sued, why [he] says the lawyers are a curse to the country. They are a most idle set of folks, I tell you," [34] and "near about as proud as they are lazy." [35] "Pride, Squire, and a false pride, too, is the ruin of this country. I hope I may be skinned if it tante." [36] "There's neither spirit, enterprise, nor patriotism here; but the whole country is as active as a bear in winter." [37]

The residents of the provincial capital were censured no less severely than the country people:

"Now the folks of Halifax take it all out in talking . . . but they all end where they begin — in talk." [38] "They walk in their sleep, and talk in their sleep, and what they say one day they forget the next." [39] "The folks of Halifax have run down, and they'll never go to all etarnity, till they are wound up and put into motion." [40]

But Haliburton employed Sam Slick to do something more than to pass judgment on the Bluenoses. The sketches which he drew with unsparing accuracy in *The Clockmaker* of good-for-nothing characters, of broken-down houses and abandoned farms, and of shiftless farmers who chased their horses fourteen miles to ride two, were quite as effective

[33] In a note accompanying the last of the "Recollections." *Novascotian*, Feb. 11, 1836.

[34] *Clockmaker*, first series, 11.

[35] *Ibid.*, 19.

[36] *Ibid.*, 174.

[37] *Ibid.*, 95.

[38] *Ibid.*, 18.

[39] *Ibid.*, 74.

[40] *Ibid.*, 34.

as his other strictures. No more telling indictment of social heartlessness in Nova Scotia has ever been written than the chapter called " The White Nigger," [41] the record of an incident based on a local custom of farming out paupers to the lowest bidder. Not even the perhaps better known account of Justice Pettifog " [42] and his court can match its disclosure of hypocrisy and depravity. That the province was laboring under the disabilities of poverty, one-sided competition, depreciated currency, the high cost of labor, and the curse of cheap law, Haliburton readily conceded, but that these things of themselves had the power to demoralize the whole country he did not admit for an instant. These were the effects, not the causes, of the general breakdown. If money had disappeared for American flour and Yankee tinware, let the colonists go without the one and replace the other with wheat of their own raising, or failing that, eat their rye and oatmeal; if the bank currency was worthless, there was still wealth to spare on the land, beneath its surface, and in the sea; if labor was scarce, time was plentiful, and hard work no disgrace, and mechanical appliances could be had to replace man-power; if there were too many lawyers, it was because not enough children were brought up to be farmers, a class of men, " more honest than traders, more independent than professional men, and more respectable than either." [43]

It was on the farm, in fact, that Haliburton saw the future of Nova Scotia. If he turned his satire rather too mercilessly against the agricultural classes, it was because he had no patience with methods and habits which kept the province in a state of continual backwardness, and still less with those who were ready to blame the land for mis-

[41] *Ibid.*, 175 ff.
[42] See above, 188, 189.
[43] *Clockmaker*, first series, 174.

fortunes within the control of their own efforts. Industry and skill, the two virtues which he believed would make the farmers masters of the situation, were the two in which they were most conspicuously deficient:

"Agriculture is not only neglected but degraded here. What a number of folks there seem to be in these parts, a ridin about, titivated out real jam in their go-to-meetin clothes, a doin nothin. It's melancholy to think on it. That's the effect of the last war. The idleness and extravagance of those times took root, and bore fruit abundantly, and the young people are above their business. They are too high in the instep, that's a fact." [44]

It was the inordinate love of gossip among the farmers, of enjoying what Sam Slick called the "blowin time," that kept them always behind schedule and constantly making excuses and complaining of their prospects, so that

"When the Spring comes, and the fields are dry enough to be sowed, they all have to be plowed, *cause fall rains wash the lands too much for fall ploughin.* Well the plows have to be mended and sharpened, *cause what's the use of doin that afore its wanted.* Well the wheat gets in too late, and then comes rust, but whose fault is that? *Why the climate to be sure, for Nova Scotia aint a bread country.*" [45]

Of the ample supply of suitable land for farming in Nova Scotia, Haliburton entertained no doubt,[46] and he had little sympathy for those who would point to the lack of it as an explanation for the recurrent crop failures. If any other reason than the universal sloth of the people were needed, it was to be found in their frequently dis-

[44] *Ibid.*, 172.

[45] *Ibid.*, 148.

[46] And incidentally did a little real estate booming for his own holdings at Douglas, Hants County. See *The Clockmaker*, first series, 214.

played preference to be jacks-of-all-trades rather than masters of one:

"Who lives up there in the big house, says I? Its a nice location that, pretty considerable improvements them. Why Sir, that's A. B.'s; he was well to do in the world once, carried a stiff upper lip and keered for no one; he was one of our grand aristocrats, wore a long tailed coat, and a ruffled shirt, but he must take to ship buildin, and has gone to the dogs. . . . Well, the next farm where the pigs are in the potato fields, whose is that? Oh, Sir, that's C. D.'s, he was considerable fore handed farmer, as any in our place, but he got up for an Assembly-man, and opened a Store, and things went agin him some how, he had no luck afterwards. I hear his place is mortgaged, and they've got him cited in chancery . . . But the next, who improves that house? Why that's E. F.'s, he was the greatest farmer in these parts, another of the aristocracy, had a most noble stock, cattle, and the matter of some hundreds out in jint notes; well he took the contract for beef with the troops; and he fell astarn so, I guess its a gone goose with him. He's heavy mortgaged. . . . Who lives to the left there? that man has a most special fine intervale, and a grand orchard too, must be a good mark that. Well he was once, Sir, a few years ago; but he built a fullin mill, and a cardin mill, and put up a lumber establishment, and speculated in the West Indy line, but the dam was carried away by the freshets, the lumber fell, and faith he fell too; he's shot up, he han't been seed these two years, his farm is a common, and fairly run out."[47]

On all sides were discernible the natural consequences of such a policy of divided interests, pointing unmistakably to final disheartened emigration or a poor-debtor's flight:

". . . barn doors off — fences burnt up — glass out of windows — more white crops than green — and both lookin poor and weedy — no wood pile, no sarse garden, no compost, no stock — moss in the mowin lands, thistles in the ploughed lands, and neglect everywhere."[48]

Sam Slick had but one remedy for Nova Scotian farming

[47] *Ibid.*, 209, 210.
[48] *Ibid.*, 210.

ills, the year-round attention to business he had learned in "the States:"

"We plowed all the fall for dear life; in winter we thrashed, made and mended tools, went to market and mill, and got out our firewood and rails. As soon as frost was gone, came sowin and plantin, weedin, and hoein — then harvest and spreadin compost — then gatherin manure, fencin and ditchin — then turn too and fall plowin agin. It all went round like a wheel without stoppin, and so fast, I guess you couldn't see the spokes, just one everlastin stroke from July to eternity, without time to look back on the tracks." [49]

Next in importance to intensive farming as the necessary first step in rehabilitating his country's agricultural resources Haliburton placed the building of the railway from Halifax to Windsor, which Joseph Howe had proposed. With the opening of this projected line he prophesied would come not only increased marketing facilities for the farmer, but a general advance in trade and industry as well. "A bridge makes a town, a river makes a town, a canal makes a town, but a rail-road is bridge, river, thoroughfare, canal all in one." [50] *"The only thing that will make or save Halifax, is a rail road across the country to [the] Bay of Fundy."* [51] That such an undertaking would involve the expenditure of capital did not lessen in the least Haliburton's confidence that the province, then practically without means of obtaining credit, would be able to finance it, and other desired improvements as well, for the railway was to be but the beginning of his programme for increased transit facilities. There was capital enough in Nova Scotia to invest in English and American public works, he claimed, why not for similar projects at home? [52] To secure the internal improvements needed

[49] *Ibid.*, 149.
[50] *Ibid.*, 105.
[51] *Ibid.*, 76.
[52] *Ibid.*, 94.

in Nova Scotia, besides the local wealth, which the watchwords, *Industry, Enterprise, Economy,* would produce,[53] all that was required was less devotion in the legislature to "politicks," and more to the construction of roads and bridges. Once the country was thoroughly opened up for convenient transportation, Haliburton believed that its future would be assured, and that Nova Scotians might hope to hold their own with their chief competitors, the people of the United States.[54]

What Haliburton had to say of the Americans in the first series of *The Clockmaker* is chiefly significant of his growing distrust of democracy. He presented them, it is true, as the very incarnation of shrewdness, frugality, and intelligent activity. That, of course, was demanded for the sake of drawing an instructive contrast with his own people. But his admiration of the Americans' habits of thrift, and of their ability to succeed, did not extend to their form of government. There is far more ridicule of the Yankees in the character of Sam Slick, who served as a continuous lampoon of his fellow citizens as well as an exemplification of the qualities desirable for the Nova Scotians, than is utilized in poking fun at their spirit of brag and their habitual "tall" talk. The irony of his repeated references to the "free and enlightened" state of his country, "the freest, says I, on the face of the airth — you can't 'ditto' it nowhere,"[55] indicates even more clearly Haliburton's doubt of the boasted blessings of political liberty, than it does the Nova Scotians' general animosity towards their rivals. He had, in reality, little faith in the American experiment in democracy. It had begun in rebellion and would end in civil war. "A republic is only calculated for an enlightened and vartuous people, and folks chiefly in the farmin line."[56] But un-

[53] *Ibid.,* 220. [54] *Ibid.,* 113 [55] *Ibid.,* 156. [56] *Ibid.,* 169.

restricted immigration and over development of the factory system had introduced elements of corruption, and subordinated agriculture. Mob-spirit was in the ascendency.[57] Theoretical equality had not produced equal distribution of power, but only disrespect and discourtesy to superiors.[58] Separation of church and state had resulted in a lack of veneration for things sacred. There was "nothin fixed either in religion or politics."[59] The Americans had "their head a trifle too much, sometimes, particularly in Elections, both in freedom of Speech, and freedom of Press."[60] The greatest threat of all to a continuance of a stable popular government lay in the doctrine of states rights. Haliburton's views of the entire situation, and of the impending national calamity, is summarized in a single comprehensive statement which Sam Slick quoted from the Rev. Mr. Hopewell:

> "If our country is to be darkened by infidelity, our Government defied by every State, and every State ruled by mobs—, then, Sam, the blood we shed in our revolution will be atoned for in the blood and suffering of our own fellow citizens."[61]

To avert the threatened disintegration only an invigoration of the central executive powers with a gradual verging towards the unified control typified by the British monarchy would serve. But Haliburton's fears of dangerous impetuosity in a democratically controlled people led him to prophesy disaster even in connection with the suggested move towards improvement:

> "If this comes on gradually, like the changes in the human body, by the slow approach of old age, so much the better, but I fear we shall have fevers, and convulsion-fits, and cholics, and an everlastin gripin of the intestines first."[62]

[57] *Ibid.*, 39.
[58] *Ibid.*, 190.
[59] *Ibid.*, 199.
[60] *Ibid.*, 189.
[61] *Ibid.*, 200.
[62] *Ibid.*, 192.

Signs of internal ills were already apparent:

"*The Blacks and the Whites* in the States show their teeth and snarl, they are just ready to fall to. *The Protestants and Catholics* begin to lay back their ears, and turn tail for kickin. *The Abolitionists and Planters* are at it like two bulls in a pastur. *Mob law and Lynch law* are working like yeast in a barrel, and frothing at the bung hole. *Nullification and Tariff* are like a charcoal pit, all covered up, but burning inside, and sending out smoke at every crack, enough to stifle a house. *General Government and State Government* every now and then square off and spar, and the first blow given will bring a genuine set-to. *Surplus Revenue* is another bone of contention; like a shin of beef thrown among a pack of dogs, it will set the whole on 'em by the ears. . . . I guess we have the elements of spontaneous combustion among us in abundance; when it does break out, if you don't see an eruption of human gore, worse than Etna lava, then I'm mistaken. There'll be the very devil to pay, that's a fact." [63]

Whether it was a general delight in *The Clockmaker's* prediction of a dire future for the United States that gave it a vogue among the Nova Scotians, or merely an individual pleasure among them in making the coat Sam Slick had cut fit some other fellow's back, Haliburton's letter-series had not been running long before Joseph Howe was able to write:

"*The Clockmaker,* we are happy to find, has become a universal favorite: the greatest certainly (whose lucubrations we have had the honor of introducing to the public) since Obededom Praisepennies [64] at all times, of course, excepting the redoutable Major,[65] of most facetious memory. . . . Several of the letters have been republished in the Yarmouth, [N. S.] *Herald,* the Boston *Courier,* and other

[63] *Ibid.*, 57.

[64] A character in another satirical letter-series published in *The Novascotian* during the early part of 1835, dealing with matters of trade, currency, etc.,

[65] Perhaps of "The Club" but more likely "Major Jack Downing." See below, 367–374.

American and Colonial papers — and we are happy to have it in our power to announce, that there is a goodly supply of nos. in reserve; and that we shall have the means of keeping our readers merry not only through the Christmas holidays, but till the very heart of this abominable winter is broken, though the snow should come ten feet deep." [66]

It can hardly be credited that *The Clockmaker* was actually popular with the people whose deplorable characteristics it most unsparingly laid bare, and opinion which ought to be authoritative bears out one's skepticism on this point.[67] But unpopular as Haliburton's "Recollections" may have been, interest in them rose steadily as the series advanced, until the demand for extra copies of *The Novascotian* could scarcely be supplied.[68] With the publication of the twenty-second installment,[69] eleven more being needed to complete the whole number as originally intended,[70] the author, still clinging to his anonymity, announced the cessation of his contributions to *The Novascotian,* and his consent to a plan proposed by its editor for their wider circulation:

"Gentle Reader."

"During four months I have had the honor of presenting you every week with one of these sketches — I now appear before you for the last time, to make my bow and retire. In doing so permit [me] to thank you for the reception you have been pleased

[66] *Novascotian,* Dec. 17, 1835.

[67] See J. G. Bourinot, *Builders of Nova Scotia,* 63, 64, and *The Intellectual Development of the Canadian People,* 104, 105; R. G. Haliburton in *Haliburton: a Centenary Chaplet,* 28.

[68] G. C. Fenerty, *The Life and Times of the Hon. Joseph Howe,* 39, 40.

[69] Not the twenty-first, as might be inferred from the misstatement in the publisher's advertisement to the first edition, Halifax, 1836.

[70] See publisher's advertisement, first edition.

to give them, a reception as much above my expectation, as I fear it is beyond my deserts. Mr. Howe informs me it is desirable that they should appear in a more durable form. . . . So flattering a request I could not decline; and I have therefore placed at his disposal the remaining part of the series, that the whole may be included in one volume. . . ." [71]

The Clockmaker, in book form, though anonymous still, was not issued from the press of *The Novascotian* office, however, until the very close of 1836. During the last weeks of the year a general election had been in progress in Nova Scotia,[72] and for months previous Joseph Howe, on a platform of incorporation for Halifax and a provincial government responsible to the people, had been busy conducting the campaign that returned him and a majority of reformers to the House of Assembly, where he began his career of over forty years as its most influential member. Between the withdrawal of *The Clockmaker* in one form and its reappearance in another, he had devoted his newspaper almost exclusively to the election. In the interval *The Clockmaker* had not been mentioned in *The Novascotian.* Candidates' cards, and addresses to the electors had crowded an announcement of its republication from even the advertising columns. If not lack of space, it certainly could not have been fear of Haliburton's politics that kept all references to his book out of Howe's paper, for after the result of the polls had been declared, apart from a brief notice that the work had been enlarged and reissued, for several months there was no more mention of it in *The Novascotian* than before. This continued failure to notice Haliburton's satire can probably be best explained as owing to the fact that beyond the very considerable initial attention *The Clockmaker* had

[71] *Novascotian,* Feb. 11, 1836.

[72] Simultaneous polling had not yet been adopted in Nova Scotia.

attracted, it had received no further marked recognition for some time,[73] and that Howe, who was adverse to reviewing his own publications, or pushing their sale except by reprinting favorable press comment or citing other evidence of approval,[74] simply had nothing noteworthy to report about it. We may be sure, however, that *The Clockmaker's* success had continued, though quietly, in the period of its apparent failure, since during that time its fame had been carried abroad and a demand for it created in England and the United States. On May 18, 1837, Howe was able to present an item in *The Novascotian* that as a proof of his soundness of judgment in selecting a volume for publication must have given him a good deal of satisfaction, even if it also meant that someone else was making a profit off his discernment. The implied promise it contained was doubtless of more interest to his readers than its half humorous threat:

> "*The Clockmaker* has been republished in London, by Bentley, and is enjoying great popularity, selling freely at 10s. sterling a volume. . . . Though it is gratifying to us in the extreme, to find any book issuing from the Novascotian Press republished in England, and to hear of the popularity of our friend Sam Slick in the great world of letters, still we are not quite sure that we shall not bring an action against Mr. Publisher Bentley, for pirating the copyright,[75] and printing an edition without our leave. However, we shall avail ourselves of his exertions, when the Squire has the next volume ready for the Press.[76]

Before the year was out the first American edition of *The Clockmaker* appeared from the press of Carey, Lea, and Blanchard, of Philadelphia.

[73] See below, 207, 211.

[74] See the files of *The Novascotian.*

[75] Howe's edition was, as a matter of fact, not copyrighted.

[76] On May 30, 1837, the *Acadian Recorder* observed that "Sam Slick seems to 'go ahead' in the British book market."

In connection with Bentley's unauthorized reprinting of Haliburton's book a good deal of misinformation has been put into circulation by persons who should have been able to come nearer the facts than they did. Out of the tangle of inaccuracies it is still possible, however, to unwind most of the truth. According to the most frequently repeated account of the matter,[77] which is confirmed in this one respect by Haliburton himself,[78] it was Lieutenant-Colonel Charles Richard Fox,[79] an officer of His Majesty's forces stationed at Halifax in 1836,[80] who induced the famous London publisher to bring out an English edition of *The Clockmaker*. Returning to England,[81] Colonel Fox had taken a copy of the book with him and had urged it upon Bentley as a possible publishing venture, stipulating, however, that if it proved successful the author, if discovered, and if poor, should have a share of the profits.[82] Whether Colonel Fox was actually as ignorant of who wrote *The Clockmaker* as is generally supposed,[83] it must be accepted as certain that in following his suggestion Bentley

[77] That by Morgan, *Bibliotheca Canadensis,* 167, 168, which is followed by R. G. Haliburton in *Haliburton: a Centenary Chaplet,* 25, and by Joseph Freeman Tupper, *The Canadian Academy,* March, 1910, 5.

[78] See dedication of *The Clockmaker,* second series, fifth ed.

[79] Promoted General in 1863, a title usually given him in references to his relations to Haliburton. Colonel Fox was aide-de-camp to William IV, and the husband of Lady Mary Fitzclarence, daughter of His Majesty and Mrs. Jordan. (Information supplied by Harry Piers, Esq., Secretary, Nova Scotia Historical Society.)

[80] Georgina Haliburton, Manuscript.

[81] Morgan states in obvious error *after* several editions had appeared in the United States.

[82] Georgina Haliburton, Manuscript.

[83] See *Ibid.,* and Morgan, R. G. Haliburton, Freeman, etc, all questionable sources owing to demonstrated errors and inconsistencies.

acted without the author's knowledge or consent[84] unless one is willing to believe Haliburton a party to an understanding that absolutely ignored the rights of Joseph Howe, to whom the first series of *The Clockmaker* had been given outright.[85] But the tradition[86] that either Fox or Bentley remained in ignorance of Haliburton's connection with *The Clockmaker* up to the time of his visit to England in 1838[87] and that then the secret of his authorship was accidentally disclosed, is entirely without foundation in fact. On this point we have positive assurance in a letter of Haliburton's written to one who had been his friend and intimate in King's College days, and since, Judge Robert Parker, of New Brunswick.[88] Though the letter is undated,[89] its contents show that it was written before Haliburton had seen Bentley in London in 1838 and arranged the terms then agreed upon for the second series of *The Clockmaker:*

"By the last packet I received a letter from Colonel Fox, informing me that Bentley, the publisher, had at his suggestion presented me with a very elegant piece of plate[90] as a token of the estimation in which my talent is held in the mother-land, and concluding by a wish to make my acquaintance if circumstances should take me to England. Shortly afterwards I received another letter from him, containing the key of the box in which he had forwarded the salver, and another from Bentley, offering for another volume. I have another volume ready for the press, which

[84] As the various "authorities" cited state.

[85] See below, 404.

[86] Found in all the accounts cited in one form or another.

[87] See below, 217–223.

[88] See above, 23.

[89] As published in A. Wylie Mahon's "Sam Slick's Letters," *Canadian Magazine,* XLIV, 75.

[90] According to Morgan and those who follow him, a silver salver engraved with an inscription by R. H. Barham of *Ingoldsby Legends* fame.

is not so local as the other, and I think better suited for English readers. We are no judges of these things ourselves, but I think it better than the first. I intend, therefore, to go home with it and see it through the press myself, and while abroad will lay up materials for the Clockmaker in England, which, if the work takes, I will write as soon as I return."

At least two English reviews of *The Clockmaker* in 1837 [91] credited the book to Haliburton, so that not only may the tradition that the author was not known in England before 1838 be definitely denied, but another usually accompanying it,[92] that prior to that date the authorship was popularly assigned to an American gentleman resident in London, must be considerably discounted.

As to whether Haliburton received anything but formal tokens of approval from Bentley in payment for *The Clockmaker,* there is somewhat conflicting evidence, but the most generally accepted belief [92] is that besides the salver mentioned in the letter to Judge Parker, he got nothing. Haliburton's own testimony on this point appears sufficiently explicit to be conclusive; "for the last volume [the first series of *The Clockmaker*]" he stated,[93] "all the remuneration I had was the satisfaction of finding it had done some good among those for whose benefit it was designed. . . ." But seemingly opposed to this remark is the assertion made by an anonymous writer in *Bentley's Miscellany* [94] to the effect that Bentley, previous to bringing out *The Clockmaker,* "made a communication to Mr. Haliburton . . . for the purchase of the copyright, which terminated in an arrangement," but since there was no such copyright to be purchased, one

[91] *Monthly Review,* 1837, 105; *The Literary Gazette* April 1, 1837, 204, 205.

[92] Recorded by Morgan, R. G. Haliburton, etc.

[93] *Clockmaker,* second series, 318.

[94] XIV, 81.

may suspect the authenticity of the whole statement. Another account of the dealings between publisher and author relates that Bentley offered a remuneration to Haliburton which the latter declined on the ground that he had given away the articles comprising his book, and so had no further claim upon them.[95] This version of the incident leaves something to be desired in the way of interest on Haliburton's part in behalf of Joseph Howe, of course, but it reconciles the apparent differences between the long current opinion corroborated by Haliburton's personal word, and the rather doubtful authority of the *Miscellany*, and possibly comes nearer the whole truth than either of them. However insignificant Haliburton's share of the profits from *The Clockmaker* may have been, there is little question that Bentley's experiment of undertaking the publication of so unusual a curiosity as a volume of colonial humor proved highly successful. On June 8, 1837, Howe informed the readers of *The Novascotian* that letters lately received from London reported the English reprint of *The Clockmaker*

> "has had such a run as to make another edition necessary. Should this be the case *it will have run through four editions* in the short space of six months — a degree of popularity rarely attained by any modern work, and we believe never by a provincial one, having a local application merely."

Fortunately for the overseas reputation of *The Clockmaker* it had more than a local application. What the English reviewers failed to understand, and it was much, they ignored, and commented, as a rule, not on the significance of the book as a political document dealing with colonial affairs, but on what they termed the freshness and novelty of its humor and subject-matter, and most of all,

[95] Georgina Haliburton, Manuscript.

on the originality of its principal creation, Sam Slick. "We must suffer the world to make acquaintance with the greatest original existing on its surface," said *Blackwood's*[96] in introducing Sam Slick to the public, and the eagerness with which he was received justified Haliburton's faith in the avidity of the English for things American.[97] Apparently Haliburton's pedlar was to them the living embodiment of all they had heard of America from the travel-books of their countrymen, "your Halls, Hamiltons, and DeRouses [Rooses]," of whom as a class Sam Slick himself said contemptuously they were

> "Ensigns and leftenants, I guess, from the British marchin regiments in the Colonies, that run over five thousand miles of country in five weeks, on leave of absence, and then return, lookin as wise as the monkey that had seen the world. When they get back they are so chock full of knowledge of the Yankees, that it runs over of itself, like a hogshead of molasses rolled about in hot weather — a white froth and scum bubbles out of the bung; wishy washy trash that they call tours, sketches, travels, letters, and what not; . . ."[98]

But however untrustworthy their impressions, they had whetted the English appetite for more about these nasal-toned, ill-mannered, tobacco-chewing, expectorating, guzzling, whittling, and boasting traders across the Atlantic, and here was one of these irrepressible creatures drawn to the life by the hand of an observer whose testimony might be trusted and whose veracity could not be doubted. "He enters into the secret details of private life and exhibits all which English travellers have left in shadow," was a French corroboration of the opinion common in England.[99] Indeed *The Clockmaker* was looked upon

[96] XLII, 673ff.

[97] See above, 128.

[98] *Clockmaker*, first series, 58, 59.

[99] Chasles, *Anglo-American Literature and Manners*, 224.

there as a better authority on the domestic manners of the Americans "than even the novels of Cooper." [100] That Sam Slick was an object for laughter as well as a faithful portraiture of his people only added to his popularity. There was, to be sure, a certain amount of deprecation and baulking at the uncouthness, the innuendoes, and the vulgar exaggerations of his speech, "so huge a mass of slang, slyness, and bitter bad words," [101] but for the most part his language was accepted as one of the necessary characteristics of the genuine Yankee, and laughed at along with his other eccentricities. It was his cheerful self-confidence, his shrewdness, and his "naturalness," however, that were regarded by the more open-minded as most typical of his nation and as making the book in which he appeared truly representative of the independent, aggressive spirit of a people of infinite possibilities, and, in comparison with much of the literature of the time, agreeably different. This merit of welcome unconventionality was in general ungrudgingly accorded *The Clockmaker* by the English reviews, but *Blackwood's* [102] praise of the book on this point was so unstinted that its comment, probably the most favorable the first series ever received, was admitted by Haliburton himself to be "remarkably flattering." [103] A small part of the article will suffice to give the tone of the whole, and some idea of the high esteem in which the abilities of the obscure provincial author were held abroad:

"The writer of the volume is evidently a capital fellow. We want such to throw a new life even into European literature. Our

[100] *Bentley's Miscellany,* XIV, 91.

[101] *Athenaeum,* X, 262.

[102] "The World We Live In," XLII, 673ff., attributed by some to Professor John Wilson ("Christopher North").

[103] In a letter to Judge Parker, quoted by Mahon, "Sam Slick's Letters," *Canadian Magazine,* XLIV, 76.

writers are sinking into insipidity. The Washington Irving style, which to us tastes like a composition of treacle and water, sickly and sweet, the feeble effusion of feelings which no man ever felt but after a dose of molasses, its imagination the picture of a nightmare, and its sensibility the feelings of a nursery, has utterly spoiled the viscera of the rising generation of American penmen. They produce nothing but *Jeremiads.* Sterne's Maria in a wigwam, and with a necklace of scalps, is their model of the pathetic; and all the bold novelties of nature in a new country, the vigor of thought which might have seemed inseparable from the struggle with the elements, the wilderness, and the Indians; and even the rude originality which is one of the compensations of national ignorance, are all swamped in the imitation of the style of England in the last century, when the genius of England had sunk to its lowest depths when Horace Walpole was a novelist, and Hayley a poet. We say, let the writer of Slick's aphorisms try his powers on a subject adequate to their capacity.

Let him leave Nova Scotia and come to England . . . what invaluable and exhaustless subjects would this clever scarifier of bombast, absurdity, meanness, and presumption find before him. . . ."

In marked contrast to the cordial recognition given to Haliburton's work in England was the attack made on *The Clockmaker* in the solitary extended notice which the book attracted in Nova Scotia. More for the naïveté and novelty of its point of view, than for the ranting absurdity of its onslaught, though in both respects it remains unique among provincial literary curiosities, the article deserves reproduction. The opinion it expresses was probably purely personal, but it may be a better indication of what was at one time thought of *The Clockmaker* at home, than reading only the foreign comment reprinted by Joseph Howe would lead one to suppose:

"'*The Clockmaker.*' A work bearing the above title has been sometime out of the press, and as it has been reviewed by no periodical in the Province since its advent into the literary world, I may not, I presume, be deemed intrusive in making it the subject

of a few observations. It contains a series of letters, the greater part of which appeared in The Novascotian Newspaper; and called forth from its Editor a most extravagant Eulogy on their merits.[104] The hero of the work is a Yankee Clock Pedlar, who roams from one section of the Province to another vending wooden clocks, and practising upon the simple and credulous Inhabitants, every species of dissimulation and deceit, and every dishonest art in order to foist upon them at an exhorbitant price his gilded and painted trash. The burden of it is, a description in the spirit of satire and ridicule of the idleness, ignorance, apathy, and extravagance, the manners, habits and customs, of the people of the Province, and their local officers and institutions. And the moral po nted out by it (if any) a Railroad between Halifax and Windsor. The author of this Bantling which in a literary point of view I must proclaim illegitimate, which had a long parturition in The Novascotian and required the assistance of Mr. Howe as accoucheur to bring it into visible existence, has chosen to remain unknown.[105] But rumour, I regret to say, points to a learned Judge as the putative father. I should be sorry to believe the author of the History of Nova Scotia capable of indulging [in] the stolen embraces of some Harlot Genius, and causing the birth of such a literary monster as the Clock Maker is, nor until good evidence is educed will I believe, that a man whose style gave dignity to an interesting Historical theme could be guilty of such self degradation, such prostitution of talents, as to write the senseless and pitiful slang of which these letters are made up. Many persons here on the other hand believe Mr. Joseph Howe to be the author. This opinion received sanction from the Imp of the Press who solicited subscriptions for it in this County, and who threw out intimations that the Master-fiend of the Novascotian office was the writer. But be the author who he may he did well to keep out of view when he launched his ill-modelled and worthless Bark upon the waters, for it does no credit, either to his head or to his heart. True it was not dasht, a wreck upon the shelvy shores of criticism, and it continues to float undisturbed among the froth and scum of the literary ocean: But the reason is, it was too con-

[104] See above, 197, 198.

[105] "The letters of the Clockmaker were laid like bastards at every writer's door," from a letter signed "Manlius." *Acadian Recorder,* July 30, 1836.

temptible a thing to awaken the wrath of the foaming surge: the light and unsubstantial bubble dances harmless on the crested billows, while objects of weight and importance are overwhelmed and lost. However well the letters on the Clock Pedlar might have become the columns of a Newspaper when published singly, and without connexion or any design appearing or professed as the object of the series, they are utterly unworthy of the dignified form of a Book. . . . The reading of some of the letters may raise a smile upon features not extremely rigid, for we smile at what is ridiculous as well as what is witty, but disgust will quickly succeed, and I do not believe there is a man who has read the volume that could say when he laid it down, his time was well spent, he approved of the principal character, had acquired useful information, respected the author, or admired the language. But let us examine the *Book* and endeavour to point out its *merits*. And first the style. If this possesses any merit it is the merit of eccentricity, of running counter to every rule of orthography, and of orthoepy, of setting at naught the principles which govern universally the construction of the English language, of using terms senseless in themselves and of ridiculous sound, never heard but among the lowest and most vulgar of the republican mob, if heard at all, but such as were never known to be used by a vender of Clocks. The merit of forming monstrous metaphorical combinations, and of using figures that have no antitype in nature: The merit of corrupting the purity of our native tongue, and introducing a depraved and vitiated model of taste into the Province. What would be thought of the Englishman who affected in respectable English Society the disgusting Yang-yang aspiration of the Eastern Yankee, the nasal twang which proceeds from a chronic depravity of habit, or perhaps from mal-conformation of the organ of sound. And what should we think of the Novascotian who introduces in permanent form and one calculated to be generally known and adopted, the low, mean, miserable, and witless jargon, supposed erroneously to be in use among the same people; who cannot plead the only Justification which would avail for a defence, that of having copied from nature; as no Clock pedlar, Bible vender, nutmeg maker, or tin oven retailer was ever known, who used the idiom of the letters? What should we think of him on this point? Let the sensible and reflecting part of the community answer as regards the descriptive part of the work and the scenic representations; they by no means merit praise. The Author is

evidently ignorant of the People whose domestic manners he has attempted to exhibit, and to ridicule, and of much of the country he has chosen for the theatre of his hero's adventures. His local characters are over wrought and false to nature, and the language which they are made to express themselves in, such as is unknown among them. But what of the Hero of this hodge podge chance medley volume; what of this Yarn-spinning, Jest-breaking, Woman-whipping, Slang-Jabbering Clock Maker? Know gentle reader that he is a fictitious character who is made to figure through some thirty letters of two columns Novascotian measure, got up, dressed and equipped by the Author and presented as a model for Nova-scotians. He is made to ridicule the habits, customs, abilities, and general bearing of the Yeomanry and Magistracy of the Province, to condemn their honest simplicity and open hearted conduct, as utterly unbecoming and unworthy of the age. He is made to reduce into system those base, unmanly, and nefarious practices of misrepresentation, joined with cunning adulation, that he may cheat and swindle the unsuspecting and unsophisticated natives, and then laugh at their stupidity, and oh absurdity! this Yankee Democrat, this braggadocio of the American mobocracy, this trans-atlantic Gascon, is made to abuse the people of Nova Scotia as Political brawlers; as paying more attention to Elections than to farming, and talking about the House of Assembly, when they should be tilling the land. He is made to enumerate the various staples for manufactures, and to dilate upon the facilities for commerce which the Province contains; and to abuse the Inhabitants for not availing themselves of these advantages; laying it all to the account of their ignorance and indolence, that they are not the wealthiest people in the world. . . . Now what can we say of this character? Is it well drawn and sustained? No, it is a tissue of inconsistencies and contradictions. Is it estimable and worthy of imitation by Nova Scotians? May the race who have cultivated the deserts of Acadia and spread themselves over her bleak hills and billow worn shores, cease to exist; the cheerful voice of the labourers cease to be heard in her valleys; the wilderness resume its ancient limits; and silence and solitude brood over the length and breadth of the land, rather than her sons of the honest Fathers, should become such as this Beau-Ideal of the Author. But it may be asked, has he not drawn this character for our abhorrence and not for our admiration? Has he not chosen one of the gang of imposters who infest the Province as traffickers

or showmen, and held him up to view, a cheating, lying, bragging, fawning, Yankee, that we may detest and not imitate? Fain would I, were it possible, draw such conclusions; but the winding up of the Volume compels us to an opposite decision. The Clock Maker is decidedly and warmly approved, is praised for sound sense, searching observation, amusing idiom &c. &c. Such being our opinion of the Painting what shall we say of the Artist? What but that he is an ignorant daub who has undertaken to draw an Eastern Republican and has produced a wretched nondescript, a creature — the archetype for which, we may search Nature's wide confines in vain, elsewhere than in the crude imagination of the author, and if the ability infused through the work reflects no lustre on the powers of his mind, do the various adventures in which he makes his hero to figure, and the part he causes him to play, portray him as a man of amicable feelings, or sensible heart? . . . The Clock Pedler will notwithstanding its defects as a book answer the purpose which I believe to have been the primary object of the Author, viz: to libel the *Plebeian* population of the Province. It is the echo of that caw, caw cry, which we are accustomed to hear from every official and Tax-eater in the province, and as being such will no doubt pass plausible enough through the *higher* circles of our Aristocratic metropolis; however faulty in its conception, however gross in its details, however vulgar in its language.

Julian.

The foregoing observations were written some time ago, but as the work which is the subject of them came still-born from the Provincial Press they were thrown aside as unnecessary, and it was only on reading the puffs of the English press the other day that the paper was brought to my recollection. I send it on for publication because it contains my opinion of the book, an opinion not at all shaken by the favourable reviews taken of it by some trans-atlantic paper. A review is seldom a test of merit of a work, and much less is its reception in the world of letters. In the case in hand the novelty, even the monstrosity of the work may give it popularity in England, as any thing which greatly outrages the order and proportions of nature excites curiosity and has a run.

Yours &c.

Amherst, 1st. June, 1837. Julian."[106]

[106] *Acadian Recorder,* June 10, 1837. An apparent reference in *The Novascotian,* Aug. 10, 1837, to "Julian" as "the conceitedly

As Haliburton's first publisher, Joseph Howe paid no more attention to this outburst of refined and tender sensibilities than to observe:

"Some worthy, in the last Recorder, has undertaken the hopeful task of writing down Sam Slick. He is very indignant that the people of England, and the reading public in the United States and all the Colonies, admire and praise the book. He must be a descendant of Dame Partington's who tried to sweep back the Atlantic with her broom."

The effect of this indifferent rejoinder was to call forth a still more vehement tirade, directed this time solely at "the literary mammoth of *The Novascotian* office," accusing him of showing the white feather and of refusing to "bind the weighty gauntlets on his doughty bunches of fives," and concluding with the mock-heroic challenge: "Will not the Chivalric Editor mount his Rosinante, place in the rest his goose-quill lance, encase his Knightly person in paper armour, and tilt if it be but a single course in defence of his foster child? If he will here is *Julian*." [107] But the gage thus tauntingly thrown down was not taken up. The editor of *The Novascotian* was occupied with worthier antagonists.

---

malignant gentleman beyond the Cobequid mountains" suggests the possibility that he may have been the Hon. Alexander Stewart, who in the House of Assembly session of 1837 assumed an attitude towards Joseph Howe and his measures of reform even more antagonistic than he had displayed towards Haliburton in the session of 1827–29. See above, 84 ff.

[107] *Acadian Recorder*, July 1, 1837.

CHAPTER X

THE CLOCKMAKER, SECOND SERIES

Out of opposition to Joseph Howe's political activities during 1837 was born a good deal of the condemnation of popular government expressed by Haliburton in the second series of his *Clockmaker.* The difference between the two friends appeared still in the nature of a mutual agreement to disagree, but it is probable that only Haliburton's consent to revise opinions as first set down in the manuscript of his new satire [1] prevented an outbreak of open hostility. Howe had lost no time in defining his position as a member of the House of Assembly. Almost his first parliamentary declaration was in support of a resolution calling upon the Council to open its doors to the public.[2] Passed in the lower House, the resolution was promptly returned from the Council with the curt advice to the Assembly to mind its own business. Admitting that this action had forced the people's representatives into conflict with the upper House sooner than he had expected, Howe swept aside all suggestions of conciliation and moved for an Address to the Throne that would lay bare the evils of government under which the province labored, and, as the basis for such a document, introduced his famous Twelve Resolutions. These embodied an impressive recital of constitutional ills. They pointed out the unrepresenta-

[1] See below, 402.

[2] For this and other facts in this section see Howe, *Speeches and Public Letters,* I, 106ff.

tive character of the Council, its unfair distribution of the patronage, the evil effects of admitting the Bishop and Chief Justice to its deliberations, and its refusal to meet except in secret session; they protested the inability of the people to compel redress of such grievances even by the most drastic method of stopping the supplies, since official salaries were paid out of revenues unjustly removed from the colony's control, and they proposed as a remedy for the conditions thus set forth that the first step should be the granting of either "an elective Legislative Council," or "such other reconstruction of the local government as will ensure responsibility to the Commons."[3] No request was made for complete departmental responsibility of the executive, the system of government which the battle-cry, "Responsible Government," had come to signify.[4] Howe was as yet still feeling his way towards reform, and was still willing to compromise upon what he consistently preached in *The Novascotian,* and with the ideals to which he believed the colonists must soon attain if they were to remain British. Debated one by one, all twelve resolutions were finally passed in the Assembly, when an alarming message from the Council threw most of the supporters of constitutional change into a panic. Aroused, ostensibly by the Assembly's impeachment of its disinterestedness in performance of duty, but really by the prospect of a speedy termination of its existence, the Council had announced to its assailants of the lower House that, pending the withdrawal of the objectionable portion of the twelve resolutions, it refused to proceed further in the transaction of public business. The country was threatened with a repetition of the embarrassing conditions which followed the "Brandy Dispute" of 1830.

[3] Howe, *Speeches and Public Letters,* I, 115.

[4] First used in this sense by the Upper Canadian reformers in 1829. F. Bradshaw, *Self-Government in Canada,* 352, foot-note.

It was a difficult situation with which Howe, an untried legislator, was confronted. On the one hand there appeared the alternative of wilfully sacrificing the revenue needed to maintain the credit of the province, and on the other that of ignominously withdrawing from a position supported by the greater part of the people. But Howe proved himself capable of consolidating his gains in an unexpected manner. Instead of rescinding merely what the Council, in denial of the charge preferred, insisted should be omitted, he declared that his resolutions had done their work, and asked his colleagues to rescind the whole and appoint a committee for the consideration of an Address to the Throne on the state of the colony, to be reported *after* the business of session had been completed and the supplies secured. It was the first and most dramatic of Howe's many parliamentary *coups*. The Council was fairly trapped and had no choice but to submit. At the close of the session the Address was presented for discussion. The readiness with which it passed showed plainly that the House was prepared to defy the Council and determined to make Nova Scotia's constitutional defects known to the Colonial authorities. Like the rescinded resolutions on which it was based, the Address requested an elective Legislative Council, or the separation of the Executive from the Legislative Council with a provision "for a just representation of all the great interests of the province in both," but except for suggesting "the introduction into the former of some members of the popular branch, and otherwise securing responsibility to the Commons"[5] it marked no advance toward a genuinely responsible government. In defence of colonial government as it was, and of its own conduct, the Council, too, forwarded an Address to the Throne, accompanied by a strong recommendation from the Governor, General Sir Colin

[5] Howe, *Speeches and Public Letters*. I, 155.

Campbell, in its favor. As one concession to the Assembly's demands, however, the upper House intimated that it was about to make the alterations in the Council Chamber necessary to accommodate the public. By midsummer it was evident that the people had won a more substantial victory. Despatches from the Colonial Secretary, Lord Glenelg, intimated that Her Majesty had been pleased to assent to the reform of the greater part of the evils complained of. The division of the Council into two branches, executive and legislative, was ordered, the Chief Justice restricted to the Bench in the exercise of his official duties, the Bishop relegated from the Executive to the Legislative Council, and the surrender of the casual and territorial revenues offered in return for a suitable permanent civil list. Unfortunately for the popular cause, the Governor saw fit to carry out Lord Glenelg's instructions in such a way as to make the personnel of the new Councils scarcely more representative or acceptable than the old. As for practical responsibility of the executive, none was achieved, for, though four of its members were chosen from the House, they admitted no responsibility to the majority there, and, indeed, took their seats among the Councillors on express condition that none was expected of them. The new Councils had not been discharging their functions for more than half a session, when it became known that the instructions issued to Governor Campbell concerning the numbers they should include, did not correspond with those contained in the commission of the Earl of Durham, the recently appointed Governor General of British North America. The Councils had been accordingly unlawfully constituted, and two others, with fewer members in each, were named, again by Sir Colin Campbell, in their places. By the first appointments, declared void, only one reformer had obtained a seat in the executive. The later

appointments did not provide for even one. Manifestly the struggle between the two parties was bound to be renewed. Before the close of the session of 1838 the House and the executive were again in open conflict. A civil list bill, designed to meet the offer of the Imperial Government for the surrender of the casual and territorial revenues and passed by the reform majority of the Assembly, was rejected in the Legislative Council. A bill to reduce the cost of the judiciary met with no better fate. The only recourse of the Commons was another Address to the Throne. Again the appointment of Councillors without the confidence of the people's representatives was protested, but no definite demand was made for an executive dependent upon the will of the majority, nor was there mention of the previously proposed elective upper House. From this time on a Legislative Council selected by the people was heard of no more in the Nova Scotian Assembly. In the main the Address was devoted, not to the discussion of the Council, but to a defence of the rejected civil list, though the attention of Her Majesty's advisers was called also to the colony's need of extended free-ports privileges. No response was made to any of its representations until the session of 1839.

Meantime the two friends of rapidly diverging political faiths, whose differences must have been considerably accentuated during the progress of the events just narrated, journeyed abroad together in perfect harmony on what proved for both of them the Grand Tour. For Haliburton, it proved also a veritable triumphal progress. A desire for the intellectual stimulus of travel, sentimental interest in the homeland, and curiosity to see at first-hand foreign political conditions took Howe across the Atlantic. Haliburton had much the same reason for undertaking the voyage as his friend, but motives of another sort as well

were operative in his case. He visited England, for this the third time, on private business connected with the estate of his brother-in-law, Captain William Neville,[6] and had, besides this purpose, that of arranging terms with Bentley for the publication of the second *Clockmaker,* and the intention of engaging upon a quest for further copy in continuation of Sam Slick's "Sayings and Doings."[7] When the Falmouth packet, the ten-gun brig *Tyrian,* sailed from Halifax Harbor on April 26, 1838, she bore, as the *Acadian Recorder*[8] noted, "As rich a cargo of intellect as ever left our shores." Besides Haliburton and Howe, there were on board Charles R. Fairbanks, Master of the Rolls of Nova Scotia, as public-spirited and progressively-minded a citizen as any in the province at that time, Major Robert Carmichael-Smyth, an enthusiastic promoter of the idea of an all-British transcontinental railway in North America, carried into realization by the building of the Canadian Pacific Railway, and Dr. Walker of St. John, New Brunswick. The uneventfulness of the long twenty-five days' voyage of agreeable companionship and pleasant weather was broken by one incident destined to have an important bearing on the development of ocean steamship navigation. On May 16 occurred what was recalled by one of the passengers,[9] as

"a moment full of excitement . . . when, to our astonishment, we first saw the great ship Syrius [Sirius] steaming down directly in the wake of the Tyrian. She was the first steamer, I believe, that

[6] Georgina Haliburton, Manuscript.

[7] See above, 203, the letter to Judge Parker. "The Sayings and Doings of Samuel Slick of Slickville" is the at one time familiar subtitle of *The Clockmaker* under which that work was formerly often mentioned and at least once reprinted.

[8] Quoted by the Halifax *Times,* Aug. 16, 1842.

[9] Major, then Captain, Robert Carmichael-Smyth in *A Letter — to His Friend The Author of "The Clockmaker,"* (pamphlet), 1–3.

ever crossed the Atlantic for New York, and was then on the way back to England. You will, I dare say, recollect the prompt decision of Commander Jennings [of the Tyrian] to carry his mail bags on board the steamer, and our equally prompt decision not to quit our sailing craft commanded as she was by so kind and excellent an officer; and the trembling anxiety with which we watched mail bag after mail bag hoisted up the deep waist of the Tyrian; then lowered in the small boat below — tossed about between the vessels, and finally all safely placed on board the Syrius."

Howe accompanied one of the boat-loads of mail to the *Sirius*, and, with characteristic love of flourish, "took a glass of champagne with the captain,"[10] returning to the *Tyrian* enthusiastic over what appeared by contrast with the restricted accommodations of the packet the "luxuriant appointments" of the steamer.[11]

The object-lesson of being left behind by the power of steam to await the good-will of the wind was the occasion of a lively discussion among the passengers of the *Tyrian*, with the result that before they landed at Falmouth, the Nova Scotians had agreed among them, at Major Carmichael-Smyth's suggestion, to "bestir themselves, and not allow, without a struggle, British mails and British passengers, thus to be taken past their very doors,"[12] and to take the first steps in calling the possibilities of steamship connections with the colonies to the attention of the Colonial Secretary. Immediately on reaching port at Falmouth, Haliburton and Howe hurried to Bristol to confer with the owners of the *Sirius* with regard to making Halifax, if not the western terminus of their line, at least a port of call, and soon after Howe, associated with William Crane, one of the New Brunswick

[10] Howe, *Speeches and Public Letters*, I, 188.
[11] C. R. Fairbanks, Journal. See below, 221.
[12] Carmichael-Smyth, *Letter*, 2.

legislators whom he found in London, addressed a letter [13] to Lord Glenelg urging the importance of establishing a line of steamers for the conveyance of mail and passengers to Halifax under the control of the Admiralty. Within a few months tenders for the service proposed were called for, and another Nova Scotian, William Cunard,[14] whose family afterwards became connected with Haliburton's by marriage, was awarded the contract which laid the foundation of the present steamship corporation still bearing the founder's name. Haliburton never forgot, nor allowed others to forget, the part he thus played in securing to the old and new worlds the benefit of rapid intercommunication. On the day after the transshipment of the mails to the *Sirius* another steamer was sighted eastbound, [15] which turned out to be the *Medea* convoying the Earl of Durham on H. M. S. *Hardy* to Canada on a mission which was shortly to have a profound influence on the public utterances of one of the *Tyrian's* passengers.

In company with Howe, besides travelling about England, Haliburton visited Scotland, Ireland, France, Belgium, and the Rhine country.[16] Of their rather extensive journey, few intimate or important records remain. One stray bit of personal narrative of more than usual interest regarding their common experience in England is to be found, however, in an article on Daniel O'Connell, contributed by Howe to the New York *Albion*,[17] which recounts their meeting with the famous agitator at the home of an Irish banker named Kiernan, in South Lambeth, on the Thames. When the two, perhaps at first

[13] To be found in Howe's *Speeches and Public Letters*, I, 188ff.
[14] Later Sir William Cunard. See above, 154, foot-note.
[15] Fairbanks, Journal.
[16] Howe, *Speeches and Public Letters*, I, 187.
[17] Reprinted *ibid.*, II, 465ff.

slightly over-awed, colonials were presented to O'Connell, he at once and with rare tact put them at their ease by recalling the successful efforts of Haliburton and his colleagues in the House of Assembly to secure a repeal of the civil disabilities against the Nova Scotian Catholics. But it was Howe, with his genial expansiveness, and not Haliburton, who appears to have occupied the greater share of the Liberator's attention, Haliburton being left to drift over to the ladies on the opposite side of the reception room — possibly a diplomatic withdrawal from a political discussion in which a Tory could scarcely be expected to take the part of a sympathetic listener! Concerning Haliburton abroad, though mostly in his relations with persons other than Howe, some additional interesting scraps of information are preserved in a manuscript "Journal of a Visit and Residence in England in the Year 1838," [18] written by his fellow passenger on the *Tyrian*, Charles R. Fairbanks, from which may be obtained glimpses of the hitherto unknown provincial judge and humorist driving shrewd bargains with the famous London publisher and his illustrators, or gladly received by well known families between some of which and his own there was only the doubtful connection of a common name, or eagerly sought after by the leaders among London's literary celebrities, or admitted as an interested spectator at the celebration of the Queen's coronation ceremony, and as an honored guest at the Lord Mayor's banquet. "He has fallen on his legs certainly," wrote Fairbanks of his friend's unexpected successes in England. Less dependably, one of Haliburton's kinswomen related that from the time he made himself known in England, "he became a Lion in all fashionable circles — and very much caressed by the highest of the

[18] Now in the possession of C. R. Fairbanks' granddaughter, Mrs. Harry Piers, Halifax, N. S.

nobility." [19] And Haliburton himself referred to his having received in England at this time, "as an obscure provincial author, the most flattering indulgence, as a colonist, the most hearty welcome, and [as] a stranger the most considerate attention. . . ." [20]

Early in July the proof sheets of the American edition of the new *Clockmaker* were ready for shipment to New York,[21] and it must have been shortly afterwards that the English edition appeared, but it was not until Haliburton's return from the Continent that the final agreement with Bentley [22] as to the price to be paid for it was reached. On August 11, Fairbanks notes that Haliburton was "in high spirits, having sold *The Clockmaker* as it now stands to Mr. Bentley for a handsome sum.[23] More than Marriot [Marryat] gets for his works and signed articles for a work in 3 vols.[24] Did not name sum. Book remarkably well received — most favorably received. H. now the greatest Lion in London. Mrs. Trollope and Theo. Hook desire to be acquainted with him." Already Haliburton had made the acquaintance of R. H. Barham,[25] the Fairbanks journal recording in the entry for June 22, "Haliburton greatly delighted with Mr. Barham whom he met yesterday." Subsequently between Hook, Barham, and Haliburton a warm cordiality is said to have sprung up, and it is further stated that many were the stories exchanged among them at the dinners of the Athenaeum

[19] Georgina Haliburton, Manuscript.

[20] *Bubbles of Canada*, 310.

[21] Fairbanks, Journal, entry for July 3.

[22] Of whom Fairbanks observed that he "looks like an American — not a man of much talent"!

[23] Georgina Haliburton says £700.

[24] Likely *The Attaché*, first published in four vols. See below, 436.

[25] See above, 202, foot-note.

Club, to which all three belonged.[26] Besides the convivial intimacy of this supposed relationship, must be placed an anecdote told of Haliburton [27] among a group of literary men in Edinburgh, which he visited shortly after the publication of the second *Clockmaker*. Invited to meet a number of guests at a dinner party given by William Chambers, of *Chambers' Edinburgh Journal*, he found a company assembled, ready to be amused with the expected flow of his by this time popular humor. But Haliburton sat mum throughout the evening. So disappointed was Chambers that he wrote to a relative in Nova Scotia to ask if the Judge Haliburton he had entertained was certainly the man who wrote *The Clockmaker*.[28] Whether the story is true or not, Haliburton returned to London with nothing but pleasant recollections of his stay in Edinburgh, if we may judge from the reports he brought back as reflected in his friend's diary: [29] "He is delighted with his visit to Scotland and Ireland, and the introduction his book has given him. Certainly he has been most fortunate in so easily placing him[self] among the foremost English writers."

The first series of *The Clockmaker* had won for Haliburton an international reputation. The second series showed plainly that he meant to take advantage of the fact to

[26] R. G. Haliburton in *Haliburton: a Centenary Chaplet*, 25, following Morgan.

[27] By Peter Lynch, "Early Reminiscences of Halifax," *Trans. N. S. Hist. Soc.*, XVI, 198, 199.

[28] As an offset to this story, may be cited the statement quoted by the New York *Albion*, Feb. 23, 1839, 62, from an unnamed British source: " . . . Mr. Justice Haliburton, a very intelligent and inquiring gentleman, who is now on a visit to this country, . . . has already gained a reputation in social circles for his lively qualities and conversational powers."

[29] Entry for October 12.

make himself heard. For the predominantly local considerations of the earlier volume, comparisons of colonial with American or British political affairs or governments were substituted. Sam Slick was introduced as an authority on "the machinery of the American government," with the announcement that his explanations were to be used "to compare it with the British and Colonial constitutions, and [to] throw much light on the speculative projects of our reformers," [30] although Haliburton disclaimed the notion that he was the advocate of British institutions in contrast with American. Rather, he maintained, he was, "the advocate for law, just and equal law, impartially administered, voluntarily obeyed, and, when infringed, duly enforced." [31] "It is contentment with our own, and not disparagement of your [American] institutions, that I am desirous of impressing upon the minds of my countrymen." [32] A far greater amount of self-consciousness on the part of the author is revealed in the second than in the first series. He was clearly laboring to live up to his reputation. If there was more of the confident anti-reformer, there was more of the professional humorist as well in the new book. But Sam Slick's greater discursiveness, permitted by release from the space restrictions of newspaper correspondence, while it resulted in the gain of ampler treatment of the various topics presented, resulted also in the loss of the crisp pointedness of the contributions to *The Novascotian*. In still another way the second *Clockmaker* proved less effective than the first. A good many of its chapters, written in advance of happenings that had passed into history before it was published,

[30] *The Clockmaker,* second series, 6. The references are to the fifth edition.

[31] *Ibid.,* 204.

[32] *Ibid.,* 318.

were printed without the revision needed to bring them up to date. As a consequence they present comment or protest that appears at many points belated or unnecessary. Thus it is that the prospect, but not the advent, of new Councils for Nova Scotia or of public sessions in the upper House is made fun of, while the Upper and Lower Canadian rebellions, which by the time the book appeared had come and gone, are referred to only by way of prophecy.

In the second series of *The Clockmaker* Haliburton dropped almost entirely his attempt to interest the Nova Scotians in the natural resources of their province, and to laugh them out of their habits of affected gentility, possibly because it was no longer needed,[33] and devoted himself to stemming the current of colonial democracy. "I am no democrat," he admitted frankly, "I am no friend to novelties."[34] But as yet he was careful to trim his

[33] As may be inferred from some doggerel stanzas, "To the Clockmaker," in *The Novascotian,* Sept. 30, 1838, on the lessons learned by the Bluenoses from Sam Slick's teaching:

> "You've taught them what they did not know,
> You've told them truths profound, —
> . . . . . .
> You've done some good, you've done your best,
> Ambition's raised at last —
> You've roused the sleepers from their nest,
> 'Twas time, they slept too fast.

The following is Haliburton's own opinion of the effects of the first *Clockmaker:* "This work has done a good deal of good. It has made more people hear of Nova Scotia than ever heard tell of it afore by a long chalk; it has given it a character in the world it never had afore, and raised the valy of real property there considerable; it has shown the world that all the Bluenoses there ain't fools at any rate; . . ." *Clockmaker,* second series, 319.

[34] *Ibid.,* 211.

course between the extremists on either side of politics, and to show none of his later exultation in Tory prejudices.

"The bane of the colonies," he said,[35] "as of England, it appears to me, is ultra opinions. The cis-Atlantic ultra tory, is a nondescript animal, as well as the ultra-radical. Neither have the same objects or the same principles with those in the mother country whose names they assume. It is difficult to say which does most injury. The violence of the radical defeats his own views; the violence of his opponents defeats those of the government, while both incite each other to greater extremes. . . . An unnatural, and it would appear, a personal, and therefore a contemptible jealousy, influences this one, and a ridiculous assumption the other, the smallest possible amount of salary being held as sufficient for a public office by the former, and the greater part of the revenues inadequate for the purpose of the latter, while patriotism and loyalty are severally claimed as the exclusive attribute of each. As usual, extremes meet; the same emptiness distinguishes both, the same loud professions, the same violent invectives, and the same selfishness. They are carnivorous animals, having a strong appetite to devour their enemies, and occasionally showing no repugnance to sacrifice a friend. . . . He who adopts extreme radical doctrines in order to carry numbers by flattering their prejudices, or he who assumes the tone of the ultra tory of England,[36] because he imagines it to be that of the aristocracy of that country, and more current among those of the little colonial courts, betrays at once a want of sense and a want of integrity and should be treated accordingly by those who are sent here to administer the government. There is as little safety in the counsels of those, who, seeing no defect in the institutions of their country, or desiring no change beyond an extension of patronage and salary, stigmatise all who differ from them as discontented and disloyal, as there is in a party that call for organic changes in the constitu-

[35] *Ibid.*, 310–312.

[36] Joseph Howe made this interesting comment on English and colonial ultra-Tories in 1838: "The Tory species, as known in the British Provinces is nearly extinct in Great Britain; an out-and-out Tory is only to be found in the colonies." *Speeches and Public Letters,* I, 182.

tion, for the mere purpose of supplanting their rivals, by opening new sources of preferment for themselves."

Yet Haliburton's exposition of the English system of constitutional checks, King, Lords, Established Church, and Commons, in favorable contrast to what he considered the unregulated rule of the "populace" of the United States,[37] leaves no doubt of his own essential Toryism which was of a variety extreme enough to carry him even so far as to advocate a system of landlord and tenantry for Nova Scotia.[38]

On the question of elective Councils, Haliburton completely reversed the position which he had, at least alternatively, taken in his History,[38a] and which it had been insinuated he might take even in the Assembly,[38b] and came out squarely in opposition to Joseph Howe, who had become temporarily his successor in support of this particular method of reform. But so long as the British dominions were committed to a system of government in which the Crown, or its representatives, was a safety-device necessary to its successful operation, Haliburton's later stand was more logical than that which he had previously occupied:

"What good would an elective council be? . . . If there be any good in that are Council at all, it is in their bein' placed above popular excitement, and subject to no influence but that of reason, and the fitness of things, composed of chaps that have a considerable stake in the country, and don't buy their seats by pledge and promises. . . . *If you make that branch elective you put government right into the gap, and all difference of opinion, instead of bein' between the two branches as it is now, (that is, in fact, between the people themselves), would then occur in all cases between the people and the governor. . . . Elective councils are*

[37] *Clockmaker,* second series, 186ff.
[38] *Ibid.,* 52, 53.
[38a] See above, 139.
[38b] See above, 115.

inconsistent with colonial dependence. . . . Amend what is wrong, concede what is right, and do what is just always; but *preserve the balance of the constitution* for your life."[39]

Haliburton's antagonism to Howe is recognizable in the second series of *The Clockmaker,* too, on quite other matters than elective Councils. It was clearly his friend he had in his mind when he alluded to the "resolutions of the dominant party" in the House of Assembly or the Council as frequently produced "by the intrigues or talents of one man."[40] He parodied Howe's protests against the undue administrative influence of the adherents of the Church of England and the monied interests of Halifax, the excessive salaries of the judges and customs officials, and the exclusiveness of King's College,[41] and scoffed at the reformers' dearest measures, vote by ballot and short parliaments.[42] While his advice to the "Cariboo member," an accurate reflection of what Haliburton's defenders claimed had been his own position in the House,[43] was as obviously addressed to the leader of the Nova Scotian reformers, as to the radicals of Upper Canada:

> *"Be honest, be consistent, be temperate; be rather the advocate of internal improvement than political change; of rational reform, but not organic alterations. Neither flatter the mob, nor flatter the government: Support what is right, oppose what is wrong; what you think, speak; try to satisfy yourself, and not others; and if you are not popular you will at least be respected; popularity lasts but a day, respect will descend as a heritage to your children."*[44]

Nevertheless, Haliburton's attitude to Howe was not one of unreasoning disagreement. With the latter's plea for

[39] *Ibid.,* 70–72.
[40] *Ibid.,* 299.
[41] *Ibid.,* 33–35.
[42] *Ibid.,* 78, 175.
[43] See letter from "Amicus," *Novascotian,* April 24, 1828, and the reply to it from "Digby," *ibid.,* May 1, 1828.
[44] *Clockmaker,* second series, 36.

an increased number of free-ports in Nova Scotia [45] Haliburton was in entire accord, as he was with Howe's plan for scrapping the obsolete ten-gun brigs that performed the colonial packet service, and replacing them by substantially built steam-propelled liners.[46]

The opinions which Haliburton first put forward in the second series of *The Clockmaker* in support of a policy of improved speed and safety in transportation between the Mother Country and her possessions overseas, have a peculiar interest in their relation to his later ardent Imperialism. They mark the beginning of his open defiance of the growing anti-colonies sentiment in Great Britain. "Cuttin' off the colonies," Sam Slick told the Squire, "is like cuttin' off the roots of a tree." [47] As an outlet for surplus population and a reservoir for trade the North American provinces were declared to be necessary to the continuance of the Empire, and the belief that they were more of a drain on the nation's wealth than a source of its supply was denied as false:

> "Oh, squire, if John Bull only knew the valy of these colonies, he'd be a great man. I tell *you;* but he don't. . . . You can't put into figures a nursery for seamen; a resource for timber if the Baltic is shot ag'in you, or a population of brave and loyal people, a growin' and sure market, an outlet for emigration, the first fishery in the world, their political and relative importance, the power they would give a rival, convartin' a friend into a foe, or a customer into a rival, or a shop full of goods, and no sale made for 'em." [48]

At the bottom of all the unrest in the colonies and the dissatisfaction with them at home Haliburton placed the ignorance and incompetence of the officials sent out to govern them, appointed by uninformed or misinformed

[45] *Ibid.*, 154.
[46] *Ibid.*, 287ff., 302ff.
[47] *Ibid.*, 294.
[48] *Ibid.*, 307

secretaries in the Colonial office. To guard against the indefinite recurrence of errors which had distinguished the control of the colonies in the past, Haliburton, refusing as yet to entertain the idea of colonial representation in the Imperial Parliament, proposed instead the appointment of a Colonial Council-board,

> "composed principally, if not wholly, of persons from the respective provinces; who while the minister changes with the cabinet of the day, shall remain as permanent members, to inform, advise and assist his successor." [49]

In this thoroughly practical suggestion there is exhibited the remarkable foresight into matters relative to the organization of the Empire of which at different times Haliburton gave evidence. His suggestion of himself for a colonial governorship, on the strength of the reputation he has won through the first *Clockmaker,* scarcely does him so much credit. But the temptation was strong, there was precedent in plenty, and plain-speaking was the only language the home authorities could be expected to understand, and, after all, it was that irrepressible Yankee, Sam Slick, who was to blame! [50]

The second series of *The Clockmaker* was received by the English press with less of wonder and more of the

[49] *Ibid.,* 300.

[50] R. G. Haliburton in *Haliburton: a Centenary Chaplet,* 39, says that the Colonial office actually offered to appoint his father "President of Montserrat, a wretched little West Indian Island, inhabited by a few white families and a thousand or two of blacks"; but fails to note when. C. R. Fairbanks's Journal records (entry for June 22) that Haliburton "is growing into dislike of N. Scotia says he will accept an office in Van Diemen's land." Commenting on Haliburton's recommendations of himself for office the London *Times* for Nov. 1, 1838, said, with more than *intended* absurdity, "It is an unfortunate circumstance for the present ministers that Mr. Slick had not established his reputation in

laughter of approbation than the first. Opinion was practically unanimous that it was a "vigorous exception"[51] to the general rule that the sequel of a successful book is seldom its equal. Yet in spite of its author's evident intention to thrust Sam Slick more prominently forward in the rôle of an entertainer, it was not his humor that excited the major interest. On all sides there was more genuine appreciation of the new *Clockmaker's* real significance than was true in the case of its predecessor, an intelligent comprehension of its commentary on colonial political conditions, and a willingness to attribute proper importance to British North America and the problem of its future government. By common consent its exposition of the various phases of a vexatious matter was accepted as that of an authority whose opinions deserved careful consideration. But while Haliburton got a respectful hearing, neither his conclusions, nor his methods of arriving at them, were allowed to pass unquestioned. Prejudice,[52] unfairness, the use of incorrect data,[53] and actual misrepresentation[54] were among the charges laid against him. For his achievement outside the field of purely political discussion, however, the praise given him was nota-

---

England when the Governor-Generalship of British North America was given away the first time. For the real practical service of Her Majesty, we would have backed him against the Earl of Durham, . . . for 'plain work, and no nonsense,' we know of nobody who would have settled the North America colonies like Mr. Samuel Slick, of Slickville. In all probability the situation is now coming to be disposed of for the second time. Surely Mr. Slick will not be overlooked."

[51] London *Times,* Nov. 1, 1838.

[52] *Monthly Review,* III, 8.

[53] London, *Morning Chronicle,* quoted *Novascotian,* Nov. 1, 1838.

[54] *Monthly Review,* III, 10.

bly generous and unqualified. Especially were his powers of broad caricature and his extraordinary insight into character, both national and individual, commended.[55] There was, of course, the usual outburst of British squeamishness over Sam Slick's vulgarity,[56] though it must be acknowledged there was rather more than sufficient ground for complaint. In respect to the ill-taste displayed in *The Clockmaker's* treatment of Harriet Martineau,[57] the "English gall" with a French name, public condemnation was corroborated by the privately expressed disapproval of at least one individual who might have been able to teach Haliburton a lesson in civility. It was Colonel Fox himself, to whom the second series of the book was dedicated, who deplored its "allusions to Miss Martineau as highly indecorous to a woman," and gave it as his opinion that "her infirmity of deafness ought not to have been brought forward." [58]

At home in Nova Scotia, press comment on the book followed closely the example set abroad. There was, of course, a more decided feeling of gratulation than in England that a despised colony should have produced an author whose "talent, originality and humor" enabled him to take a place "among the popular and successful men of the day," [59] but it did not result in a greater lack of discrimination in appraising his work in either its humorous or its political aspects. Particularly interesting in this connection, and fairly representative of what Haliburton's fellow-

[55] London *Morning Chronicle,* quoted *Novascotian,* Nov. 1, 1838; London *Spectator,* quoted *ibid.,* Sept. 13, 1838.

[56] *The Literary Gazette,* July 7, 1838, 419.

[57] *Clockmaker,* second series, 58 ff., 84 ff.

[58] Fairbanks, Journal, entry for Dec. 13, from which it also appears that the dedication was made without Colonel Fox having seen the book.

[59] London *Morning Chronical,* quoted *Novascotian,* Nov. 1, 1838.

countrymen thought of the second *Clockmaker,* is the first indication that *The Novascotian* had at last consented to take notice of his reactionary politics:

" . . . On first being told that a book of merit had been published in Nova Scotia, the literati of England were ready to exclaim 'Can any thing good come out of Nova Scotia.' The event, however, wondrous though it may be, has happened. The 'Clockmaker' has passed, not with credit only, but with distinguished applause through the ordeal of criticism — an ordeal from which few even of the first works of the age have come forth unscathed. That the 'Clockmaker' excited much attention in this province is not surprising, for here, a literary work of even moderate pretension is a novelty — a 'rara avis'; but that it has been so generally admired by the experienced judges of England, stamps it with the quality of sterling merit. . . . Its humour is broad and amusing without being at all farcical and extravagant; and if there be not in it an equal variety of character and incident, there runs through it a vein of sterling common sense, and every story conveys many valuable practical lessons; not only for the improvement of the province, but for the instruction of every reader. . . .

Conceding, however, this high praise to the work, we would not be understood to concur in all the opinions of the 'Clockmaker' particularly on political subjects. He praises into disrepute in a most artful manner the government of the States, and exalts by censure, the much extolled but inscrutable constitution of Great Britain. In one place he seems to decry all change as dangerous innovations and to represent existing Institutions as a sort of mirror, whose brightness would be sullied by the breath of Reform. In another place he comes forward as the advocate of all 'proper and judicious reform' forgetting perhaps, that the terms 'proper and judicious reform' open a wild [wide?] field for discussion, and need some infallible tribunal such as never yet was discovered to limit and define their meanings. Neither amongst all his valuable remarks upon the state and prospects of this province, has he adverted sufficiently to the slight increase which takes place in its scanty population, a matter which perhaps would better explain some circumstances which he has endeavored to explain on other grounds. What is it, we would ask, which prevents the tide of emigration from England, from being attracted to a province which in the opinion of the 'Clockmaker,' presents so many and

such important advantages? In his observations on the Canadian revolt, and the obstacles that oppose that most desirable consummation, a thorough amalgamation of the inhabitants, we cordially concur.[60] If indeed the British possessions in America are to be assimilated to the mother country, and united into a compact dependency, the French language must be abolished. It is a sort of record of hostile parentage from which one portion of the inhabitants have sprung, and it is connected with too many inflammatory associations even to allow of a cordial union of the opposed parties as long as it exists. Any system of settlement that omits this important particular will be defective and must fail. . . .

[But] we must enter our protest . . . against the panegyric pronounced upon Governor Head. . . .[61]

If we had space, we would extract a lively and pungent satire on Nova Scotian Society; we doubt whether its truth equals its severity. At any rate the objects of it have no reason to be offended with the author, who deemed such opinions fit only to be put into the mouth of a drunken Schoolmaster.[62] They are, however, worth consideration, and wherever they pinch, there is room for amendment.

[60] Haliburton's references in *The Clockmaker,* second series, to the Canadian rebellion, as stated above (225), were only by way of prophecy. According to his analysis of the situation the French-Canadians were the innocent victims of "Papinor" and other unscrupulous and cowardly demagogues. As to the remedial measure he favored, he gives but the one hint: "The reform they want in Canada is to give 'em English laws and English language. Make 'em use it in courts and public matters, and make 'em an English and not a French colony out of it; . . ." (*Clockmaker,* second series, 215.) The development of this suggestion forms the thesis of such constructive treatment of the problem as *The Bubbles of Canada* contains. See below, 246.

[61] See *Clockmaker,* second series, 301, 302. Sir Francis Bond Head was the Tory governor of Upper Canada just previous to and during the rebellion there, which was, in part, due to his inability to sense the political situation that preceded the outbreak, and his unwillingness to take military precautions against it. The "panegyric" mentioned deals only with his difficulties before the rebellion. Haliburton always remained the zealous defender of Head's Upper Canadian administration. See below, 263.

We will conclude, with again congratulating this province, on possessing such a talented and distinguished writer as the author of the Clockmaker. Its appearance will constitute an era in the History of Nova Scotia."[63]

[62] See *Clockmaker,* second series, Chap. XIX. Haliburton in the chapter referred to is far more censorious of the besotted type of derelict Englishman, at one time all too commonly abroad in Nova Scotia as travelling schoolmasters, than of the permanently settled inhabitants of the province.

[63] "A correspondent" in *The Novascotian,* Sept. 27, 1838. At that date Joseph Howe was still absent in England, and his paper temporarily in charge of John S. Thompson.

CHAPTER XI

THE BUBBLES OF CANADA AND THE *REPLY TO DURHAM*

Disapproval of the political bias of Haliburton's writings, first given public expression in the press notices of the second *Clockmaker*, was greatly increased by the appearance of his next two productions, devoted, as they were, to a partisan though serious consideration of colonial questions. Early in the autumn of 1838, Joseph Howe returned home to Nova Scotia, leaving Haliburton behind in England. This separation of the two at the close of their tour of sight-seeing and visitation is significant of the complete divergence of their views in respect to colonial administration, though there is nothing in it, so far as is known, indicative of personal feeling.[1] Once more in his native province, Howe took up anew the cudgels in behalf of self-control for the colonies, but so stubborn was the opposition he encountered that it required full ten years of incessant plying of his weapons before he succeeded in hammering into the heads of over-cautious and unwilling officials the wisdom and workability of his ideals, and the necessity of their complete and unrestricted application. With the struggle for reform thus recommencing in Nova Scotia, Haliburton prolonged his stay in the old country well on into the spring of 1839. In the leisure of his extended holiday the Satan of politics found abundant

[1] Indeed Joseph Howe's privately recorded account of their parting (see the collection of Howe's diaries in the Public Archives of Canada, at Ottawa) shows their attachment to each other to have been at this time marked and affectionate.

mischief for his idle pen to effect. While Howe was making a long-distance effort to persuade the British public and Parliament that responsible government was the only possible solution of the difficulties in the colonies compatible with their retention as component parts of the Empire, Haliburton in London was attempting to block the acceptance of such a belief by writing in bitter words that perpetuation, through actual enforcement, of the right of Imperial intervention in colonial affairs was the sole means of preventing the colonies from setting up an independent existence before the close of another decade.[2] Haliburton had good reasons for assuming the offensive against the opinions of the colonial reformers. To him it was a case of then or never. As a matter of fact his advance was made too late. Before he had recrossed the Atlantic homewards the position of Howe and his associates stood completely vindicated by the publication of that Magna Charta of Canadian liberties, the monumental *Report on the Affairs of British North America* compiled by Her Majesty's High Commissioner and Governor-General of Canada, the Earl of Durham, whose convoy on his great mission of colonial reconstruction the passengers of the *Tyrian* had observed wholly unaware of its portent.[3] It was distrust of the consequence of Lord Durham's appointment and fear of the effects of his recommendations that induced Haliburton to lay aside the party neutrality demanded by his profession and take on the rôle of a propagandist exponent on the losing side of a fight against principles the force and reasonableness of which he either could not or would not comprehend. To Howe, the appointment of the Earl of Durham to investigate the causes of the Canadian rebellion and to advise measures for the

[2] *Bubbles of Canada,* 321. The references are to the first edition.
[3] See above, 220.

future government of the colonies concerned must have been full of promise for the realization of his desires. Haliburton looked upon it as a dangerous concession to the deplorable spirit of radicalism, already too powerful. Durham was known as a radical aristocrat. That he was the " advocate of the ballot box and extended suffrage " [4] was sufficient to secure for him Haliburton's condemnation. Anything he might suggest was bound to be tinged with republicanism. Consequently his *Report* was convicted and sentenced before it appeared. It mattered not that Durham was an aristocratic reformer. To Haliburton his connection with the nobility meant only that whatever he might recommend for the government of Canada would but prove the proposals of " a radical dictator and a democratic despot." [5]

Haliburton was not alone in his hostility to Durham. His Lordship was regarded as a dangerous man by all parties in England, including even his own.[6] A member of Lord Grey's cabinet, and one of its committee to frame the Reform Bill of 1832, he had outstripped his colleagues in far-sighted support of further electoral reform and emancipation for Ireland. Excluded from the cabinet of Melbourne, Lord Grey's successor, because of his advanced views and his inability to work well in party harness, he had been boycotted by the Whigs generally. The Tories hated him as a matter of course. And the Radicals had not the confidence in one of the aristocracy to submit themselves to his leadership. As a means of getting a subordinate of superior gifts conveniently out of the way, Melbourne had sent him first to Russia on a special ambas-

[4] *Bubbles of Canada,* 324.

[5] *Ibid.,* 325.

[6] For the facts in this paragraph see S. J. Reid, *Life and Letters of the First Earl of Durham,* 2 vols.; especially II, 136ff.

sadorial mission, and then to Canada. If he succeeded in his almost impossible task of reconciling the warring factions in British North America, reasoned the Whigs, that would redound to the credit of the party which had the good fortune to employ him; if he failed, there would be no longer need to fear his political influence. It was the extraordinary powers with which he was armed as Governor-General, and the suspension of the Canadian constitutions during the period of his investigations, that brought upon his undertaking and his policies before they were announced the opposition in the Commons of those ultra-Radicals there, Joseph Hume, J. A. Roebuck, and William Molesworth, who looked upon the French-Canadians as martyrs to British injustice. But it was in the House of Lords that Durham had his greatest enemy, in the person of Henry, Lord Brougham, once his professed friend, later the most eager to accomplish his downfall. Brougham, like Durham, but for party perfidy rather than conspicuous talents, had also been shelved by the Whigs, and he blamed Durham, without any justification, however, for his discomfiture. Hence it was that he pursued his victim with all the jealousy and hatred of a madman. Unfortunately, under the circumstances, Durham laid himself open to attack before he had fairly established his administration in Canada. Arrived in the country, he found the jails overflowing with hapless and misguided rebels, followers of ringleaders who had fled the country.[7] To try them for treason before a jury of their French-Canadian peers meant only acquittal in the face of positive evidence of their guilt. Plainly some extra-legal procedure was needed, and Durham was not the man to check at putting it into execution. By a special ordinance he

[7] As Haliburton predicted they would. See *Clockmaker* second series, 216, 224.

declared the renegade leaders of the rebellion guilty of high treason, and forbidden to return to the British dominions on pain of death. On their own confession of guilt those of the political prisoners in Canada who had taken the more prominent parts in the uprising were exiled to Bermuda for a period to be determined at Her Majesty's pleasure. To the others, Durham granted a general amnesty. The fatal mistake, of course, was naming Bermuda, over which the powers of the British North American Governor-General did not extend, as the place of detention for the political exiles. Durham knew the limitations of his jurisdiction as well as anybody, but he relied upon the government at home to pass an enabling bill that would confirm his action. Instead, the Cabinet, which, with the exception of Lord John Russell, had never given him more than half-hearted support, allowed itself to be intimidated by Brougham and the Radicals in the House into annulling the ordinance and passing a bill permitting the return of the exiles in full possession of their rights as citizens, and providing for their indemnification. Partly because of his over-sensitive pride, partly because his natural petulance was aggravated by a fatal illness, Durham, who heard of the Cabinet's treachery before the receipt of the official notification of disallowance, at once determined to resign his position and return to England. On the first of November, 1838, without waiting for his successor to arrive, he sailed from Quebec. But his interest in the destiny of the colonies over which he had been sent to preside was by no means at an end. Though he had been in Canada barely five months, he was confident that he had the proper solution of the Canadian problem to lay before Her Majesty's government. While his enemies secretly chuckled or publicly exulted over what appeared his permanent disgrace and

final failure, he gathered his secretaries about him and quietly and industriously, and with heroic disregard of the increasing seriousness of his malady, set himself to frame the document that was to reestablish his fame as a statesman forever, and lay down the fundamentals of colonial liberty that have given to British Imperialism whatever qualities of enduringness it still possesses. It was while Durham remained temporarily under the shadow of failure that Haliburton, as an authority on the colonies, was approached for some expression on the Canadian question calculated to forestall the apprehensively expected effects of the forthcoming *Report*. The result was his *Bubbles of Canada*, published anonymously as " by the author of ' The Clockmaker.' "

Haliburton's new work was issued from the press of Richard Bentley at the very beginning of the year 1839.[8] Concerning it James Grant, a London journalist, wrote in 1840: [9]

" It was the violence of his [Haliburton's] political prejudices that led him a year or two ago to practise one of the greatest literary deceptions on the public of this country, to be met in the annals of modern literature, rife as these are with such deceptions. I refer to his advertising [10] a new work, for many months before it appeared, under the title of ' Bubbles from [*sic*] Canada,' the title creating an impression in the public mind, that it would resemble in the lightness and liveliness of its literature, the celebrated work called ' Bubbles from the Brummens ' [11] by Sir Francis Head.[12] The result of the extensive advertising, and of the general

[8] The prefatory letter is dated December 24, 1838.

[9] *Grant's London Journal,* quoted *Acadian Recorder,* Feb. 6, 1841. The article was republished in *Grant's Portraits of Public Characters,* I, 291–304.

[10] The advertising, if there was any, was done, of course, by Bentley.

[11] The actual title was *Bubbles from the Brunnens of Nassau, by an old Man.*

[12] See above, 234, foot-note.

impression which had thus been made on the minds of the public, was that before the book was ready, a sufficient number of orders had been received in Paternoster Row, to carry off nearly the whole of the edition. I leave it to my readers to guess the surprise, disappointment, and indignation, which those who had thus purchased the work, without seeing it, felt, when instead of the light, amusing, and laughable book, which they expected it would be, they found it to consist entirely of a tedious, elaborate, and heavy political ultra-Tory treatise on the state of Canada; . . ."

The culpability of Haliburton in connection with *The Bubbles of Canada* was, however, not of the nature which James Grant imputed to him. What are probably the facts in the case are given by Miss Georgina Haliburton.[13] According to her account,

"The Pamphlet entitled 'The Bubbles of Canada' the Judge never considered anything but a compilation, it was wanted by a party in reference to the Administration in Canada and to effect its purpose needed to be written at once in a fortnight's time. Judge Haliburton was applied to, to write it he at first refused as the research and time it would take he could not well spare from his own private business, the party urged, and said whatever documents he required could at once be placed at his command, he consented and the next morning eight hand carts of assorted Documents were brought to his lodgings in Piccadilly, he completed the work in the given time a little circle met to determine the title. Lady Davy the widow of Sir Humphrey Davy was consulted, she took an active interest in all literary works and her Ladyship hit upon the title of The Bubbles of Canada the Author did not quite approve of it as the title was foreign to the subject of the work but it was a popular title and caused the book to be widely read, it fulfilled its political purpose for which it was written."

It must have been this work, then, of which C. R. Fairbanks entered in his journal for Sunday, November 11, 1838:

[13] In her manuscript account of the Haliburton family. See above, 5.

"Haliburton has made agreement with Bentley for a volume on Canada to be prepared immediately — is to receive a very handsome price for it — he will commence on his return from Gloucester whither he goes on Tuesday — "

With wise prescience as to the fate of the undertaking Fairbanks added, "I doubt his success in it."

These partly conjectural details regarding the genesis of *The Bubbles of Canada,* it must be admitted, accord but slightly with Haliburton's own statement [14] that the book was prepared expressly to enlighten the gentleman to whom its letter-chapters were addressed [15] on the course of events in Canada. But the whole tone and structure of the volume argue that it was undertaken for party purposes only and executed under pressure of limited time. For besides being a documentary history of legislative activities in Lower Canada, intended to show that the English and not the French were the aggrieved settlers there — a finding with which most students of Canadian affairs would not be likely to disagree — it was little more than a plea for a policy of force and repression in dealing with the French-Canadians, and an excuse for a series of vicious comments on all phases of British liberalism standing for any other course of action in the colonies, from the little-Englander attitude of Lord Brougham to the enlightened views on empire-building held by Lord Durham. Moreover it consisted largely of a hastily thrown together col-

[14] *Bubbles of Canada,* 5, 6, and the dedicatory letter.

[15] James Haliburton, Esq., the noted Egyptologist, James Burton, who had but recently reassumed his family name. (*Literary Gazette,* Jan. 5, 1839, 3.) Haliburton had met him in London at a dinner to Sir Francis Head, and the two on comparing notes were convinced that there was a distant relationship between them, traceable through the supposed descent of the colonial representative of their common name from the maternal ancestry of Sir Walter Scott. (Georgina Haliburton, Manuscript.)

lection of colonial despatches, instructions to governors, reports of commissions, parliamentary resolutions, and lists of grievances, so generously quoted as to suggest that the entire contents of the "eight hand carts of assorted Documents" went into its making. The compilation is not without its value, of course, as a source book of one aspect of Canadian history, and one will look far before finding elsewhere much of the material it contains, but one cannot suppress the feeling that its faults of omission more than offset its virtues in documentation for the person in search of impartial evidence.

Haliburton begins his treatment of the Canadian question by attempting to pick a quarrel with Lord Durham over an expression which he claimed the latter had used in his farewell proclamation, on the eve of his departure from Quebec. "He has thought proper," says Haliburton[16] "in that extraordinary document, to give the sanction of his high station to the popular error that the Canadas have been *misgoverned*" — when, in Haliburton's opinion, he should have said that their governments had been *defective* — "a proof, if any were wanting, that he knew as little of the affairs of the colony at his departure from thence, as he admits he did on his arrival there." Whatever version of the Governor-General's valedictory Haliburton had got hold of, it certainly was not that reprinted in the official account of Durham's life.[17] In the proclamation as there reproduced the objectionable word does not occur, though there is mention of the "errors" and "deficiencies" of colonial government, which would seem to be as Haliburton would have had its faults expressed. But whether the word imputed to Durham was actually used or not, Haliburton does not escape the

[16] *Bubbles of Canada,* 9, 10.

[17] See Reid, *Life and Letters of Lord Durham,* II, 275ff

charge that in seeking to draw unnecessary distinctions he was contradicting the logic of his own subsequently developed proof. For his book is a continuous reiteration of the fact that the Canadas were sadly misgoverned countries from the point of view of both the French and the English. Nor is this the only instance, either, in which Haliburton may be found in an agreement with Durham which he was unwilling to admit.[18] Having for the time being disposed of Durham to his satisfaction, he turns his attention to Lord Brougham, and, with a better show of reasoning skill, convicts the Lord Chancellor[19] of inconsistency in declaring for casting off from the colonies after having been at pains to point out their commercial value to the motherland,[20] a value which Haliburton, with the commendable zeal for making known the resources of the colonies which he always had, goes out of his way to emphasize.[21] But his main cause for complaint against Brougham is the same as that for protesting against Durham — misrepresentation of the efforts of colonial administrators. In particular he resented Brougham's dissemination of the misconception that the French-Canadians were "our oppressed and enslaved brethren in Canada."[22]

"I am prepared to show," he says, "that every administration in this country [Great Britain], without exception, from the conquest of Canada to the present time, whether Tory or Whig, or mixed, or by whatever name they may be designated, have been actuated but by one feeling, an earnest desire to cultivate a good understanding with their new subjects of French extraction, and

[18] See below, 304, 503, 557.

[19] Brougham had been politically sidetracked to the Chancellorship in 1830.

[20] *Bubbles of Canada,* 20ff.

[21] *Ibid.,* 18ff.

[22] *Ibid.,* 12.

on one principle, a principle of concession. Canada has had more privileges and indulgences granted to it than any other of our American colonies; unpopular officers have been removed; obnoxious governors have been recalled; constitutional points abandoned to them; all reasonable changes made (or, as they would express it, grievances reduced); and the interests of commerce and of persons of British origin postponed to suit their convenience, or their prejudices; in short, everything has been done, and everything conceded to conciliate them that ingenuity could devise or unbounded liberality grant, and no sacrifice has been considered too great to purchase their affections, short of yielding up the colony to their entire control; and for all this forbearance and liberality they have been met with ingratitude, abuse, and rebellion." [23]

According to Haliburton's theory — and it is historically defensible — two fundamental errors had been made by the English in dealing with the French-Canadian situation: the passage of the Quebec Act in 1774, and of the Constitutional Act in 1791. By the first, the inhabitants of Quebec after having been conquered and given the opportunity of leaving as French or remaining as British subjects, and after having been governed for ten years under English laws, had had restored to them the French criminal code and their medieval system of land tenure, and were confirmed in the use of their own language for legal and legislative purposes, in the hope, justified of the event, that they would remain passive during the course of the American revolution. By the second, the conquered territory was divided into Upper and Lower Canada in order to separate the English- from the French-speaking settlers, an intention imperfectly carried out, however, — a partial failure which did not affect its main result, that a foreign state was set up in the midst of the British dominions and encouraged in its aspirations for a distinct nationalism. Finding them-

[23] *Ibid.*, 13, 14.

selves in the position of a favored people, the French made special demands of the British government which were at first readily complied with; but not satisfied with such generous treatment, they had met each new concession with a new demand or a fresh set of grievances, until gradually they had got power enough in their own hands to dictate terms to those theoretically their superiors. Finally, under the leadership of unscrupulous demagogues, they had seized upon the idea of asking for responsible government, as a pretext for securing practical racial tyranny and eventual independence. Failing to obtain this one last request, they had thrown off all disguise of their real intentions, and sought to free themselves from British rule by force of arms. The lesson as to the treatment needed in the sorely distracted colony, Haliburton stated, was obvious — anything but further concession. It was a proper Tory pronouncement, critically sound, constructively worthless. By Haliburton's own showing it was impossible that things could continue as they were in Canada; to return to former conditions was equally impossible. But what to do was not so easy to say as what not to do. In his helplessness it was perhaps natural that he should turn once more with hostile criticism upon the Earl of Durham. who had approached the Canadian question with confidence and returned with the assurance that he had found the answer.

"It has proved a failure," he said of Durham's administration of the affairs of Canada, largely because of the Earl's unwillingness to take advice from the well-informed, and his desire to assume personally the entire direction of his mission, when he lacked the first qualifications for leadership. "Instead of being willing to bear the whole responsibility, as he announced, he shewed that he was unwilling or unable to bear any. As soon as Parliament felt itself called upon to pronounce the illegality of his measures, and stepped in to rescue him from the consequences of his precipitate conduct, he relinquished his government, not in

the usual and proper form by tendering his resignation, and waiting until his successor should be appointed, but by instantly leaving the colony." [24]

And on this same point Haliburton adds later, "he who undertakes the benevolent office of calming the excited passions of others, should first learn to govern his own." [25] To Durham's "ill-advised and ill-timed" [26] farewell proclamation, with its alleged reference to the House of Lords legislating "in ignorance and indifference" [27] on matters of colonial interest he attributes the second outbreak of the rebellion in Canada, which took place late in 1838 shortly after the Governor-General's departure.

"To shake the confidence of the colonists in the justice and integrity of that high tribunal to which they have to look as a last resource, was indeed unkind to them, unworthy of himself, and injurious to the honour of the house he assailed. He who advocates democratic institutions will soon find the effect of his theory influencing his own conduct and though he may commence in the assertion of principles, he is apt to end in the expression of feeling." [28]

But the greatest evil of Durham's mission Haliburton considered was yet to be reaped, the harvest bound to spring from the suggestion of a federal union of the British American provinces, which it was known Durham had in mind when he undertook his task of pacification,[29] and

[24] *Ibid.*, 317.

[25] *Ibid.*, 328.

[26] *Ibid.*, 318.

[27] *Ibid.*, 319. See Reid's *Life and Letters of Durham,* II, 285, where it appears that Durham spoke not of the House of Lords but of the Imperial Parliament in general.

[28] *Ibid.*, 319.

[29] It mattered nothing that Durham had announced his abandonment of this proposal. "He might have spared himself the trouble of the announcement and the pain of a recantation. All those who

which he had broached to a deputation summoned to Quebec to discuss the political situation in the lower provinces. In complete disregard of the struggle at home, in one stage of which he himself had taken part on the popular side, Haliburton indignantly inquires:

"What could be more injudicious than to send to the contented and happy colonies of Nova Scotia and New Brunswick, and ask for deputies, to listen to crude and undigested schemes for their future government, or to give their own visionary plans in exchange for his? What more cruel than to unsettle men's minds as to the form of their government, and make the stability of their institutions a matter of doubt? What more pernicious than to open a political bazaar at Quebec for the collection and exhibition of imaginary grievances? In the Lower Provinces we are contented and happy. We need no reforms but what we can effect ourselves; but we are alarmed at changes which we never asked, and do not require. The federative union proposed by his lordship has opened a wide field for speculation, directed men's minds to theoretical change, afforded a theme for restless young demagogues to agitate upon, and led us to believe that our constitution is in danger of being subverted. Most people think, and all reflecting men know, that it would ripen the colonies into premature independence in less than ten years; and who, I would ask, that is attached to the mother country, and desirous to live under a monarchical form of government, can contemplate a scheme pregnant with so much danger, without feelings of dismay?" [30]

As a sort of appendage to the plan for a colonial federation Haliburton seems to have believed, though with what warrant does not appear, that Lord Durham had suggested "another for colonial representation in Parliament," which is contemptuously thrown aside as an "absurd and im-

---

were at the trouble of inquiring into the nature of his views were already convinced of his error." (*Bubbles of Canada*, 327.) And yet he must be attacked for opinions he no longer held, and which he had publicly declared premature!

[30] *Ibid.*, 320, 321.

practical scheme," with a satirical reference to the "provincial sycophants" dreaming of "the wool-sack and the ermine — the treasury and the peerage" brought within their grasp.[31] Lord Durham, in short, was not the man to govern a colony.

"When a noblemen advocates democratic institutions, we give him full credit for the benevolence of his intentions, but we doubt the sanity of his mind. Keep such men at home . . . send them not among us, where their rank dazzles, their patronage allures, and their principles seduce the ignorant and unwary." [32]

Others besides Durham came in for their share of the blame for the troubles in Canada. Upon Brougham, Hume, and Roebuck, with their declaration of revolutionary doctrines and publicly avowed sympathy for the cause of the Canadian agitators, Haliburton squarely placed the responsibility for the outbreak of rebellion, and he takes occasion to warn the people of England what they might expect if they much longer permitted the promulgation of popular political theory in their midst:

"The history of this Canadian revolt is filled with instruction to the people of England. It teaches them the just value of the patriotism of those who are intemperate advocates of extreme opinions. . . . It exhibits in bold relief the disastrous effects of incessant agitation, and demonstrates that the natural result of continued concession to popular clamour is to gradually weaken the powers of government, until society resolves itself into its original elements." [33]

For Brougham, and his parliamentary following of philosophical radicals, who had seduced the French-Canadians "from their allegiance by promises of support, and direct

[31] *Bubbles of Canada*, 322, 323.
[32] *Ibid.*, 324.
[33] *Ibid.*, 308, 309.

encouragement to revolt,[34] and excited them" by every stimulant that parliamentary declaration could apply,"[35] Haliburton had the special message that the due punishment inflicted on the victims of their "mischievous counsels" carried a personal lesson for them: "They who advocate revolutionary doctrines must necessarily shudder at the untimely fate of those who have dared to act upon them. It was a warning not to be disregarded, a consummation that might be their own."[36] And out of his generous tribute "to the pious, amiable, and loyal Catholic clergy of Canada," to whose efforts in preserving their flocks from the "contamination" of political leaders he attributes the general failure of the rebellion, he draws, also for the benefit of the radical school, the moral, "that treason always calls in infidelity to its aid; and that there is a natural alliance between the assailants of the throne and the altar."[36]

To the reader of Haliburton interested in tracing the development of his constitutional principles, *The Bubbles of Canada* is of decided importance since it contains his first published reaction to the theory of responsible government for the colonies, and his most carefully reasoned objection to his own former proposal of an elective legislative council. Concerning the latter he says wisely, with particular application to Quebec, where its attainment would have only placed an additional instrument of racial tyranny in the hands of the French majority:

"The avowed object of the assembly in advocating this change, is to procure an identity of views in the two branches, which would be effected by their being elected by the same persons, or what is the same thing, by the same influences. Were this to take place, it would be a duplicate of the house registering its Acts, but exercising no beneficial legislation upon them. A difference of

[34] *Ibid.*, 8, 9. [35] *Ibid.*, 310. [36] *Ibid.*, 308.

opinion then, whenever it occurred, would not be between the two houses, but between them and the governor, and it is easy to conceive how untenable his position would soon become. . . . Instead of two co-existent but independent chambers, it [the legislature] would in fact be only one body occupying two halls." [37]

Upon the plan of making a colonial governor's executive responsible to the majority of the people's elected representatives Haliburton was content to quote the opinions of the parliamentary commissioners of 1834 appointed to consider the requests of the French-Canadian reformers, who had asked that the Canadian constitution might be remodelled to permit of popular control of departmental heads:

". . . if the councillors were rendered accountable for the acts of government, and accountable not to the executive authority by which they are appointed, but immediately to the house of assembly, we think that a state of things would be produced incompatible with the connexion between a colony and the mother country. The council having to answer for the course of government, must in justice be allowed also to control it; the responsibility, therefore, of the governor to his Majesty must also cease, and the very functions of governor, instead of being discharged by the person expressly nominated for that high trust, would in reality be divided among such gentlemen as from time to time might be carried into the council by the pleasure of the assembly. The course of affairs would depend exclusively on the revolutions of party within the province. All union with the empire, through the head of the executive, would be at an end; the country in short would be virtually independent; . . ." [38]

In reply to these objections, Haliburton might have cited his own previously recorded answer, that since "Parliament is supreme in all external, and Colonial Assemblies in all internal legislation . . . the Colonies have a right

[37] *Ibid.*, 270, 271.
[38] *Ibid.*, 280.

to be governed, within their own jurisdiction, by their own laws, made by their own internal will," [39] a right the confirmation of which the majority in the colonies was then demanding. But he was now so haunted by the fear of colonial independence, that he preferred instead merely to observe in support of the commissioners' decision,

"that if the majority in the house, appointing the legislative council, and controlling the executive, is not a state of independence, as regards Great Britain, and of despotism as regards the province,[40] it must at least be admitted that it confers all the advantages of such a condition but the name." [41]

The Bubbles of Canada was received with approval or disapproval among the English periodicals according to the political affiliations of the journals that reviewed it. The *Monthly Review* [42] dismissed it as "a mere party production . . . in point of literature below mediocrity." *The Spectator* [43] termed it a "downright imposition" but paid it the negative compliment of an extended adverse criticism which began with:

"Having written a clever, humorous, and sensible work on Nova Scotia . . . the author undertakes to do something on Canada, where, for aught that appears, he has never been, and of which he knows nothing beyond what records open to any one can teach. Armed with these and his reputation, he pounces upon Canada as an interesting subject; he steals a title page from Head; he concocts a dull party pamphlet in the shape of a volume; and, we conceive, imposes upon his publisher, for Mr. Bentley would never have been so inconsiderate as to print the book, had he been, at starting, fully aware of its nature and character . . . ;"

[39] *Hist. & Stat. Acct. N. S.*, II, 346.

[40] Lower Canada, where the conditions of interracial hatred probably justified the remark. It did not of course apply to the other provinces demanding responsible government.

[41] *Bubbles of Canada*, 281.

[42] I, 300.

[43] Jan. 19, 1839, 64.

and concluded by pronouncing it "the one-sided statement of an enraged partisan," without a particle of literary merit save for an occasional passage in "a clear, rapid, slashing style," and, in the first few pages of the introduction, "a neat and trenchant sarcasm." On the other hand a review in the New York *Albion*[44] reprinted from an unacknowledged English source[45] presents an entirely different impression of Haliburton's ability to handle the French-Canadian question, and of his success in attempting it:

> "Mr. Haliburton is so well acquainted with the character of the people, that his book possesses a tone of authority which no preceding publication can claim in equal degree. He writes not merely a statement of historical facts, but he gives them a force derived from personal observation that greatly enhances their value. Then his narrative is conducted with so much perspicacity, and the main features are thrown out with so much skill, that it will be interesting and instructive even to those who are well acquainted with the particulars of which it is composed. The conclusions at which he has arrived coincides [*sic*] with the convictions of the great mass of the people of this country."

In Nova Scotia the book excited no immediate comment.

On January 31, 1839, the Earl of Durham's great *Report* was laid before Parliament. On February 11, it was ordered printed.[46] Its analysis of what a pacification in French Canada involved gave startling proof of the seriousness of the situation there. "I expected to find a contest between a Government and a people; I found two nations warring in the bosom of a Single State," were Lord Durham's often quoted preliminary words, "and I perceived that it would be idle to attempt any amelioration of laws or institutions until we could first succeed in terminating

[44] Feb. 23, 1839, 62, col. 1.
[45] Probably *The Times*.
[46] Reid, *Life of Durham*, II, 312.

the deadly animosity that now separates the inhabitants of Lower Canada into the hostile divisions of French and English." [47] As the cause of this inter-racial hostility Durham pointed out, as Haliburton had done in the *Bubbles of Canada,* a sequence of ill-advised British parliamentary legislation designed to keep the French habitants a race apart. In Upper Canada the situation was less difficult. There the struggle was much as in Nova Scotia, a contest between two parties, but of the same race, aggravated in the former province, however, by a greater abuse of power upon the part of the Loyalist place-holders, and by the addition of a dispute over the Clergy Reserves.[48] Besides the difficulties peculiar to Upper and Lower Canada individually, there was the further complication of a commercial quarrel between them, caused by the fact that the latter held control of the St. Lawrence river, the highway of trade to the former. Economic, religious, political, and racial factors were thus involved in the Canadian problem. In facing the perplexities of his task Durham remained true to his word given when he accepted his appointment:

"He would not go to Canada to support a party, but to assert the supremacy, in the first place, of Her Majesty's Government and to vindicate everywhere the majesty of the law. He would not look upon any part of the Canadians as French, but merely as Her Majesty's subjects, and would defend the rights of all, whether French habitants in Quebec or British merchants in Montreal;" [49]

and again,

[47] *Ibid.,* II, 315, 316.

[48] One-seventh of the public lands originally set apart for the support of the Anglican Church and held for the most part in a state of unimprovement to the constant hindrance of internal development.

[49] Quoted from Durham's speech in the House of Lords by F. Bradshaw, *Self-Government in Canada,* 9.

"I go to restore the supremacy of the law, and, next, to be the humble instrument of conferring upon the British North American Provinces such a free and liberal Constitution as shall place them on the same scale of independence as the rest of the possessions of Great Britain, and as shall tend to their own immediate honour, welfare, and prosperity." [50]

Durham was both a Liberal and an Imperialist, a democrat of the Cromwellian type. If his recommendations pleased the conventional-minded of neither of the older parties at home it was because they transcended at once the laissez-faire liberalism of the Whigs and the highest ideals of Tory imperialism. They provided for the protection of the people's rights, without imperilling in the least the interests of the Crown. They were intended to do justice to the French, and at the same time to secure to the English the whole of Canada. While they liberated the colonies from constitutional bondage, they linked them to the Empire with the strongest bonds of union. They were not the makeshifts demanded by the exigencies of the moment, but the foundations of an enduring structure of colonial government. The key-note of the whole *Report* is contained in the following passage:

"It needs no change in the principles of government, no invention of a new constitutional theory, to supply the remedy which would, in my opinion, completely remove the existing political disorders. It needs but to follow out consistently the principles of the British constitution, and introduce into the Government of these great Colonies those wise provisions, by which alone the working of the representative system can in any country be rendered harmonious and efficient. We are not now to consider the policy of establishing representative government in the North American Colonies. That has been irrevocably done; and the experiment of depriving the people of their present constitutional power, is not to be thought of. To conduct their Government harmoniously,

[50] Reid, *Life of Durham*, II, 154.

in accordance with its established principles, is now the business of its rulers; and I know not how it is possible to secure that harmony in any other way, than by administering the Government on those principles which have been found perfectly efficacious in Great Britain. I would not impair a single prerogative of the Crown; on the contrary, I believe that the interests of the people of these Colonies require the protection of prerogatives, which have not hitherto been exercised. But the Crown must, on the other hand, submit to the necessary consequences of representative institutions; and if it has to carry on the Government in unison with a representative body, it must consent to carry it on by means of those in whom that representative body has confidence. . . . Every purpose of popular control might be combined with every advantage of vesting the immediate choice of advisers in the Crown, were the Colonial Governor to be instructed to secure the coöperation of the Assembly in his policy, by entrusting its administration to such men as could command a majority; and if he were given to understand that he need count on no aid from home in any difference with the Assembly, that should not directly involve the relations between the mother country and the Colony." [51]

In reply to such views as those of the parliamentary commissioners cited by Haliburton in opposition to responsible government, which were typical of contemporary objections to the principle, and in absolute confirmation of Haliburton's own abandoned theory of the relations that should exist between mother country and colony,[52] Durham said conclusively:

"I know that it has been urged, that the principles which are productive of harmony and good government in the mother country, are by no means applicable to a colonial dependency. It is said that it is necessary that the administration of a colony should be carried on by persons nominated without any reference to the wishes of its people; that they have to carry into effect

[51] *Lord Durham's Report on British North America,* edited by Sir C. P. Lucas, II, 277–280.

[52] See above, 252, 253.

the policy, not of that people, but of the authorities at home; and that a colony which should name all its own administrative functionaries, would, in fact, cease to be dependent. I admit that the system which I propose would, in fact, place the internal government of the colony in the hands of the colonists themselves, and that we should thus leave to them the execution of the laws, of which we have long entrusted the making solely to them. Perfectly aware of the value of our colonial possessions, and strongly impressed with the necessity of maintaining our connexion with them, I know not in what respect it can be desirable that we should interfere with their internal legislation in matters which do not affect their relations with the mother country. . . . A perfect subordination, on the part of the Colony [in matters which the Imperial authorities should control] certainly is not strengthened, but greatly weakened, by a vexatious interference on the part of the Home Government, with the enactment of laws for regulating the internal concerns of the Colony, or in the selection of the persons entrusted with their execution. The colonists may not always know what laws are best for them, or which of their countrymen are the fittest for conducting their affairs; but, at least, they have a greater interest in coming to a right judgement on these points, and will take greater pains to do so than those whose welfare is very remotely and slightly affected by the good or bad legislation of these portions of the Empire. If the colonists make bad laws, and select improper persons to conduct their affairs, they will generally be the only, always the greatest, sufferers, and, like people of other countries, they must bear the ills which they bring on themselves, until they choose to apply the remedy." [53]

Durham's recommendations, in addition to the insistence upon responsible government as the fundamental principle in colonial control, were six-fold: a legislative union of Upper and Lower Canada, designed to check the aspirations of the French for independence, and at the same time to safeguard their rights as British subjects; an extended system of state supervised and state subsidized colonization; independence of colonial judges in re-

[53] Durham's *Report*, edited Lucas, II, 280–283.

spect to tenure of office; an executive budget, the appropriations of which should be subject to the approval of vice-regal authority, exercised through the Governor's responsible advisers; the repeal of all previous legislation respecting the Clergy Reserves, and provision for their future disposal as part of the public domain under Imperial regulation; and the building of an inter-colonial railway, the usefulness of which in bringing the remotely separated ends of the colonies together, and in effecting a unity of commercial interests, was obvious. The proposed legislative union of the Canadas was determined upon only after the larger proposal of a federal union of all the British American colonies had been thoroughly canvassed, and abandoned as premature. It is proof of Durham's wisdom in statecraft, however, that he foresaw in acceptance of the former plan a necessary first step to the latter. In this comprehensive scheme of reconstruction only two errors appear, one of judgment, the other of purpose. Durham was mistaken in believing that the national identity of the French-Canadians could be fused with an English majority, or submerged by a flood of immigration; and in reserving the disposition of Crown lands to the British government he showed himself not altogether free of the popular fallacy of denying power to the colonies. Happily neither mistake had serious results. The impossibility of absorbing the French-Canadians through inter-mixture with other peoples was discovered in due season, and an opportunity to develop in accordance with their own racial ideals was guaranteed them at the formation of the Canadian confederation for which Durham had builded so well. Provincial management of colonial Crown lands was arranged for at the same time.

The appearance of Lord Durham's *Report* was the signal for an outburst of vituperation from the Tory press and

party. It is hardly to be wondered that Haliburton who had worked himself into such a fury of indignation against the noble earl in *The Bubbles of Canada* should have joined in the factional chorus of abuse. It made no difference that Durham's main purpose was identical with his own — the retention of British North America in loyal and permanent union with the Empire. It mattered not in the least that Durham was the champion of his own favorite policy of "Ships, Colonies, and Commerce." Nor did it count at all in Durham's favor that the two agreed as to the successive acts of unwisdom in the English rule of Canada, as to the ignorance concerning Canada in the Colonial Office, as to the practical utility of opening colonial official careers to the colonists, and as to the necessity of making French Canada British if not English; or that both had the common desire to head off further movement in Canada towards the American form of democracy, and wished to raise up a British power in America capable of balancing that of the United States. It was sufficient that in the attainment of their single end they should have differed absolutely as to the means. Haliburton, much to his uneasiness, had found the England of the late thirties seething with radicalism, and here was a document bearing the signature of a peer of the realm calculated to augment the spread of dangerous doctrines to the colonies. To the colonial judge of the old school, Durham's *Report* was indeed the work of the "Lord High Seditioner,"[54] and his recommendations nothing short of traitorous. One must do Haliburton the credit of believing that it was not merely the personally important fact that their adoption meant the final collapse of the decrepit system upon which he was dependent for office that aroused his

[54] As certain sections of the press termed Durham. Reid, *Life of Durham*, II, 274.

antagonism. Rather it was that he believed their adoption meant of a certainty the immediate, or at best the not long postponed, loss of the colonies, and a definite conclusion to the imperialistic dream of a British world-power. And in truth it must be granted that against Haliburton's position of distrust nothing could be cited from the history of empire expansion. The experiment in colonial responsible government which Durham proposed to try was without precedent in the control of colonies. The courage to propose it was born not of proof but of faith in the inherent willingness of man to respond to justice. It involved acceptance of the then seemingly absurd paradox that the looser the ties of government, the closer the bonds of sentiment that link colony to motherland. It was only a vision, shared alike by Durham and by Joseph Howe and the other Canadian reformers, but of which Haliburton was utterly incapable, that enabled men in those times to look forward with confidence to the possibilities of the apparently impossible. Of the splendor and reality of what they foresaw the Canadian crosses in Flanders fields are to-day mute witnesses.

Altogether apart from its eloquent advocacy of responsible government the *Report* of Lord Durham was bound to arouse Haliburton's fiery protests. Its crediting the immediate cause of the Upper Canadian outbreak to the imprudence of Sir Francis Head, of whose incompetence Haliburton had made himself the special defender[55] was alone enough to provoke angry recrimination. Its exposure of the unwarranted attempts of the Anglicans to hold the Clergy Reserves in exclusive possession was another point upon which Haliburton could hardly be expected to remain silent. And the demonstration of inefficiency in municipal administration throughout the British American

[55] See above, 234, foot-note.

colonies generally, and of incompetence in the dispensation of justice in some, was still another. But the sovereign affront which Haliburton found in the *Report* was purely personal. It lay in the fact that his own incontrovertible testimony in the first *Clockmaker* had been cited by Durham in support of the hateful, and never to be seriously admitted, truth that in comparison with the phenomenal development of the United States progress in the colonies made but a sorry contrast.

"For further corroboration [of 'the obvious superiority of the American settlements in every respect' to those on the British side of the line], I might refer indeed, to numerous and uncontradicted publications," had written Lord Durham; "and there is one proof of this sort so remarkable, that I am induced to notice it specially. A highly popular work, which is known to be from the pen of one of Your Majesty's chief functionaries in Nova Scotia, abounds in assertions and illustrations of the backward and stagnant condition of that Province, and the great superiority of neighbouring American settlements. Although the author, with a natural disinclination to question the excellence of government, attributes this mortifying circumstance entirely to the folly of the people, in neglecting their farms to occupy themselves with complaining of grievances and abuses, he leaves no doubt of the fact."[56]

This was the red rag to the bull in Haliburton. It must have been almost immediately upon reading it that his wrath boiled over once more in a series of passionate letters to the London *Times*,[57] which were reprinted shortly

[56] Durham's *Report,* edited Lucas, II, 214. The identification of Haliburton as the author referred to has been made in recent years only by Lucas (II, 214). That Haliburton was meant was accepted by his contemporaries without question, however, as indeed it must be still. See *Acadian Recorder,* May 25, 1839, letter signed "Also a Colonist." For Haliburton's parody of this section of the report see below, 298, 299.

[57] Feb. 18–Feb. 26 (7 letters), 1839.

afterwards in pamphlet form under the title *A Reply to the Report of The Earl of Durham*, "By a Colonist," with the head-note, "These Letters, written on the spur of the moment, first appeared in the Times Newspaper, and are now gathered into a Pamphlet to meet the wishes of many Persons who feel interested in the North American Colonies," and the highly appropriate motto:

> "—— What great men do
> The less will prattle of."

Like most products of ill-temper Haliburton's *Reply* was ineffective and futile. The judicious among his friends could only have grieved over its publication. It was marred by violence of tone and expression. It wilfully disregarded or distorted the meaning of the *Report* it professed to answer. And it stooped to contemptible meannesses in the tricks of argument it employed. But what makes it most deplorable, when viewed from the standpoint of the present, is that it was so largely an unnecessary and unfeeling attack made by a colonial upon one far gone in disease, who had risked life and reputation in an honest attempt to help the colonies. The pamphlet opens with a sneer at Durham's precipitate departure from Quebec as an "edifying example," affording "pleasing proof of how much you had at heart the object of your mission, and how great a sacrifice of personal vanity you were willing to make in the service of the public," [58] and the unfounded charge that on his return to England Dur-

[58] *Reply to . . . Durham*, 4. Haliburton again taunts Durham on his retirement from his appointment to Canada by comparing him to Sir Francis Head: ". . . he [Head] did not desert his post in the moment of danger — having first increased the difficulties of his successor and then insinuated things to tarnish his character, — but met his enemies in the field, as became a brave man, and vanquished them." (*Reply*, 26.)

ham had appealed against the injustice of the Colonial Governments towards the rebels, arguing "that when the Colonists exceed the limits assigned to them they should be supported, and when their acts are unlawful they should be rendered legal." [59] As in *The Bubbles of Canada*, Haliburton in his *Reply* quarrels with Durham's use of language, objecting in this case to the latter's use of such "temperate terms," as "discontented parties" for rebels, and "distrust" for the feeling of those Canadians who knew the rebels' ultimate object; and then, having set a punctilious standard for inspecting Durham's exact expression, proceeds forthwith to misinterpret him, and in spite of his open disavowal of any preconceived scheme of federal union in the British province, to insist that Durham's proposed legislative union of Upper and Lower Canada was really a federal government modelled after the American congress! Haliburton's misunderstanding of Durham upon this point is so complete as to force one to the conclusion that he either deliberately attempted to deceive the public, or that he replied to portions of the *Report* without having read them over. In derision of what he pretends to believe is Durham's plan of a federal government for the colonies, he sets forth again the sort of thing he had presented in the earlier *Clockmaker* [60] as evidence of the failure of federation in the United States:

"Had your Lordship visited that country . . . you might possibly have heard of collisions between the General Government and the State Governments, — of disputes about sovereignty and jurisdiction, and of a term peculiar to America, of 'nullification': you might have heard of determined threats on one side, and fierce defiance on the other; of undefined rights, of constructive powers, and of unfortunate omissions. You would have learned that, though the people may petition the Congress, the

[59] *Ibid.*, 4, 5. [60] See above, 197.

Congress may not deliberate; that there may be rights unaccompanied by powers; and that written constitutions may be more vague and more uncertain than unwritten ones; you would have seen a Legislative Union of separate States, where the Supreme Legislature possessed too little power to answer the purposes of national government, and where the individual States had parted with too much to retain any separate influence or individual authority. In short, you would have everywhere beheld the melancholy spectacle of a Government unable to enforce obedience to its own laws, or respect for those of its neighbours; to protect its own armouries against its own people, or to restrain its own population from piratical incursions into adjoining countries, with which it had entered into solemn treaties of peace.[61] . . . you would have found it [*i.e.*, Congress] had little or nothing to do; that though the separate States had conceded all the authority that could be safely entrusted to it, it did not amount to enough for vigorous action; and although they had rendered themselves powerless, they had not made the Central Legislature strong by their several contributions; you would have learned among other things, that its chief duty was to deliberate upon all external matters; also to regulate the army and navy, the post-office, the coinage, the judiciary, the commerce with foreign nations, and the wild lands, not of several States, but the domains belonging to the United States;"[62]

— none of which, Haliburton argued, existed in the colonies, altogether ignoring the fact that Durham had provided for most of them in his survey of colonial needs.

"Their foreign trade they cannot regulate, so long as they are colonies, and ought not if they could,"[63] Haliburton continues in his rejection of a plan that had never been proposed, forgetting, or quite unaware, that Durham had said practically the same thing, though somewhat less dogmatically.[64] "Where then are the powers

[61] The very sort of thing which Durham's influence with the government of the United States had effectually checked. Lucas, I, 258–260.

[62] *Reply,* 14–17.

[63] *Ibid,* 18.

[64] Durham's *Report,* edited Lucas, II, 282.

of this legislature to be derived from? And what is it to do? Is it, like Congress, to be converted into a debating society, for wordy orators and vain-glorious patriots? Or a caucus for the election of the Governor-General? Or a hall of pensioners, where demagogues are to receive eight dollars a day as the reward of successful intrigue?" [65]

In his over-heated resistance to the idea of a federal union Haliburton makes much of the difficulty of reaching any central meeting-place that might be selected as the capital, and, by resorting to the cheapest kind of dialectic, contemptuously disposes of Durham's projected inter-colonial railway as the means of overcoming the lack of transit facilities:

"But I forget that your Lordship has solved the difficulty, and has promised us a railway from Quebec to Halifax; and we make no doubt, when the great preliminary, but equally feasible, work of a bridge across the Atlantic shall be completed, that the other will be commenced without delay. It was a magnificent idea, and will afford a suitable conveyance for the illustrious members of the great British American Congress. I will, my Lord, not ask you where the means for this gigantic undertaking are to come from, because that is a mere matter of detail, and beneath the notice of a statesman of your Lordship's exalted rank. They will doubtless be had for the asking. The Government is liberal, and the Radicals will vote the money." [66]

"It is difficult to reply to such a document as your Lordship's Report with becoming temper," observes Haliburton, immediately following this demonstration which renders his comment unnecessary; and by way of further substantiation of his remark goes on to say, "It [the *Report*] is so inaccurate in its statements of facts, so wild in its theories, so dangerous in its tendencies; it is so unsuitable to meet the public eye, so calculated to mislead the people of England, to irritate and alarm the Colonists,

[65] *Reply*, 18, 19. [66] *Ibid.*, 20, 21.

and to mystify what is in itself plain and intelligible, that I will venture to affirm the records of Parliament contain nothing so unworthy, nothing no mischievous."[67] Every page of the *Reply* affords additional evidence that Haliburton indeed found his undertaking difficult to conduct "with becoming temper." Repeatedly throughout his pamphlet[68] he gives currency to the slander, set afoot by the malice of Brougham, to the effect that Durham's *Report* was not the work of Durham himself, a libel since definitely disproved.[69] But not content with making charges and insinuations which he could not have verified if he would, he deliberately seeks to create wrong impressions about matters upon which he had first-hand information. Thus he denies Durham's description of Nova Scotia as a country of abandoned farms and decayed lands, and this in defiance of his own published accounts, and of the special report submitted to Durham setting forth the well-known economic crisis and the general backwardness of the province.[70] He disputes Durham's state-

[67] *Ibid.*, 22.

[68] Passages in Haliburton's *Reply* in which it is stated or implied that Durham was not responsible for the statements of his *Report:* 24, 26, 40, 41, 63, 64, 66, 70, 71, 72, 74, 76, 82, 83, footnote, 84.

[69] By Reid, *Life of Durham,* II, 338–341.

[70] Haliburton explained what he called the error of the *Report* in stating that "half the tenements" in Nova Scotia were abandoned by recounting how at first temporary houses were built by settlers there, which being abandoned for permanent dwellings built later had not been torn down when Lord Durham's commissioners passed through the country. (See his retort to Durham on this point below, 298.) He had no explanation, however, for the deplorable lack of industrial or agricultural development in the province, nor for "the lands everywhere falling into decay" there, that made either appear a much less genuinely economic evil than Durham had represented it.

ment that Nova Scotia was without proper municipal bodies for the control of local public business, and attempts by mentioning the county tax returns received at the Colonial Office to divert attention from Durham's real purpose, which was not to point out that Nova Scotia was absolutely without municipal machinery, but that the provincial Assembly was too much occupied with the petty affairs of townships and the counties. One can readily understand, however, why Haliburton wished to becloud Durham's revelation concerning the financial activities of the Nova Scotian legislature, for it constitutes the most damaging evidence possible of the paltry business which the lack of an executive budget forced upon the Assembly, and of the absurd limits to which as a result the scramble for trivial patronage extended. The single instance which Durham cited of this sort of public evil makes clear the reason for Haliburton's outraged pride in his native province:

> "According to a report presented to me by Major Head, an assistant commissioner of inquiry whom I sent to that Colony [Nova Scotia]", wrote Durham, "a sum of 10,000*l* was, during the last session, appropriated to local improvements; this sum was divided into 830 portions, and as many commissioners were appointed to expend it, giving, on an average, a commissioner for rather more than every 12*l*, with a salary of 5s. a day, and a further remuneration of two and a half per cent. on the money expended, to be deducted out of each share." [71]

The plan for a responsible executive, which Durham insisted upon as the prime necessity in the government of the colonies, is, of course, the object of an especially vehement and malevolently conducted assault. To the constitutional arguments quoted against it in *The Bubbles of Canada,* Haliburton adds nothing new, but his indig-

[71] Durham's *Report,* edited Lucas, II, 93.

nant resentment of Durham's concessions to democracy gives him in his *Reply* the confidence to express himself in his own vigorous language:

"We have seen enough of rash innovation, of reckless change, and of dangerous experiments, of late years, not to tamely submit to follow the prescriptions of speculative men like your Lordship. . . . Your Lordship's schemes have been concocted according to the political creed of a certain democratic party in this country [England], whose favour it was necessary to conciliate, and although you have disregarded the feelings and the wishes of loyal Colonists, you have paid a reverential respect to those of the movement party in Great Britain. Of that party your Lordship may flatter yourself you are the leader, or, to use a more intelligent term, the precursor; . . . Your Lordship talks of a Government of the Colonies, responsible to the Colonies, and of a Governor ruling by heads of departments, amenable to the Legislature. However this theory may apply to Great Britain, it is sheer nonsense as regards a dependent state. Your Lordship has lost sight of a Colonial dependence. The power of a Governor is a delegated power, and if it be designed that it shall have a useful and independent action, it must be held responsible to the authority only that delegated it and not the parties governed. He is an officer of the metropolitan State; if the control over him be relinquished, or transferred to the Assembly, then the Assembly is no longer subordinate but supreme, and he ceases to be an officer of Great Britain, and becomes an officer of a foreign country. If a Governor is to be controlled by his Council and that Council amenable to the Assembly, then the Assembly controls the Governor, the character of its political relation is changed, and it is no longer a dependent but an independent state." [72]

As to Durham's intentions of making the heads of departments responsible to the popular majority in the Assemblies, Haliburton adds later: "This, my Lord, may tickle the ears of the English Radicals, because it adopts the cant and phraseology of the sect, but such puerile twaddle can only excite the risibility of the Colonists." [73]

[72] *Reply*, 51–53. [73] *Ibid.*, 55.

Having for the second time [74] attributed the cause of the first Canadian rebellion to the disloyal utterances of the British parliamentary radicals, Haliburton advances in his course of properly distributing responsibility by laying the occasion of the second to " a certain imprudent ill-judged, and inflammatory proclamation issued by a certain Governor-General, in which he accused the Government that employed him, of all that the rebels had accused it." [75] The course of justice was obvious: " I think also that your Lordship will concur in opinion with me, that, if the statement I have just submitted to you be true, both those men who were ' the predisposing cause ' [76] of the first, and the man who was the ' predisposing cause ' of the second rebellion, ought to be impeached, and that whatever a reformed Parliament may do, no doubt can exist that an unreformed Parliament, such as once existed in this country, would have lost no time in visiting those men with that punishment which such serious offences so justly merited." [77] What is still more meanly and unreasonably condemnatory of Durham is the prediction that if a third insurrection should break out, he would find ' the predisposing cause ' " in a certain Report, which certain persons unknown have recently compiled, and very properly published, and from its republican tone as properly addressed to the Queen, in which they, the said compilers . . . deceived your Lordship's unsuspecting confidence, misstated facts, and misrepresented motives. . . ." [78] But of all the controversial smallnesses resorted to in Haliburton's *Reply* perhaps the most contemptible is his attempt to prove Durham igno-

[74] See above, 248.
[75] *Reply,* 80.
[76] Durham's words. See *Report,* edited Lucas, II, 176.
[77] *Reply,* 82.
[78] *Ibid.,* 82, 83.

rant of the laws governing emigration to Canada, and purposely deceptive in stressing the unsanitary conditions prevailing on emigrant ships bound thither,[79] when as a matter of fact the portions of the *Report* selected for censure were not by Durham at all, but were quoted from the evidence given by Dr. Poole, physician at the Grosse Isle immigrant station, Quebec, before the Commissioners of Inquiry on Crown Lands and Emigration.[80] The dishonesty of Haliburton's stooping to such trickery in connection with this subject is the more apparent when it is recalled that his own and other contemporary works contain information regarding the shameful lack of decency and comfort on British emigrant vessels that make the voyage of a prospective settler to Canada in his time look little better than the mid-passage tortures of a slave-ship.[81] In his summary rejection of Durham's settlement of the Clergy Reserves question Haliburton makes use of another device of forlorn hope in debate, the personal application of a general argument, and again impeaches the High Commissioner's knowledge of legal decisions concerning the subject of one of his special investigations:

"Ignorant of the world, and holding the antiquated notions of Colonial simplicity, I should have thought it was your duty to have inquired into the right of the Church to this property. . . . But such opinions I find are long since exploded as too primitive for this enlightened age, when Reform has enlarged our ideas as well as extended our Suffrage. . . . It is the principle to which I object, that the property of any individual or any body of men should be forcibly taken from them, and distributed among others to appease their turbulent clamours. . . . In this country it has already been announced as an article of the political creed of a certain party, and will doubtless receive additional weight from the

[79] *Ibid.*, 83.

[80] Durham's *Report*, edited Lucas II, 249 ff.

[81] See *Clockmaker*, third series, 1, and *The Old Judge*, I, 197.

sanction of your Lordship's name. But, my Lord, in the eventful changes that are in progress, and which I fear a chastening Providence has in store for us, the division of the Lambton Estates [82] may awaken your Lordship when too late to a knowledge of this truth, that the principles of justice are uniform, universal, and immutable, and that which is right in Canada cannot by any possibility be wrong in England." [83]

The concluding remarks of the *Reply to Durham* constitute a complete epitome of Haliburton's personal prejudices and party principles so far surpassing the rest of that unamiable production in simultaneous audacity to a nobleman and servility to aristocracy as to convince one that in command of unblushing "cheek" Sam Slick was own child to his father, and made wholly in the image of his creator:

"The nobility of this country give stability to the Government, splendour to the Throne, dignity to the Legislature, and character to the People, and are at once its brightest ornament and its best support. When your Lordship shall have occupied the high station a few years longer to which you have been so recently elevated,[84] and the pride of rank shall have departed with its novelty, and when the exercise of new duties shall have superseded former habits of agitation, I make no doubt that better, calmer, and juster notions will prevail in your Lordship's mind.

The Crown and the People have an equal claim upon the protection of the Peers against any encroachments on their rights, and they best consult their own safety in a vigilant restraint of both within their legitimate sphere. An undue preponderance given to the one endangers the liberty of the subject; an opposite inclination of power perils the safety of the Sovereign; but vibration affects the harmonious action of each and disturbing the balance of the constitution produces a cessation of its powers. This crisis, my Lord, is called a revolution. The Report of La Fayette on his return from the States, subverted monarchy in

[82] The family property of the Durhams.

[83] *Reply*, 85–88.

[84] Durham had been made an earl in 1833.

France; the Report of your Lordship, equally laudatory of that Republic and its institutions, is no less dangerous from its democratic tendencies to the Monarchy of England. Let us hope, that as your Lordship is as much superior to that man in principle as you are fortunately inferior to him in talent, there may be no resemblance in the result, and that the crude and undigested theories of a few visionary men will not be substituted for the experience of ages." [85]

Whatever slight excuse may be discovered for Haliburton's indiscretion in the fact that he was not alone in bitter denunciation of Lord Durham's *Report,* it can hardly be urged in justification of the extreme vindictiveness which according to contemporary opinion earned him the unenviable reputation of having handled it more severely than any one else.[86] Some additional empty satisfaction to that arising from this poor distinction Haliburton may have derived from the knowledge that his efforts to check the spread of colonial democracy were not wholly unseconded. But the appearance of having accomplished anything more substantial than arousing a limited amount of popular approval was purely deceptive. In Upper Canada both Houses of the Tory Legislature appointed a Select Committee to consider the insidious *Report,* and each submitted and secured the passage of a set of fiery resolutions opposing its acceptance. Others of the influential and official class in that colony were reported to have designated it as "a most imprudent, unpatriotic, erroneous, and inflammatory document." [87] And according to the opinion of one observer of its effects there it had become the "very manual of treason," reviving the

[85] *Reply,* 88, 91.

[86] New York *Albion,* May 18, 1839, 159, col. 3.

[87] Introduction to Durham's *Report,* edited anonymously, published by Dutton, 1902, xvi., quoting Dr. Walter Henry's *Trifles from My Portfolio, 1839, by a Staff Surgeon,* II, 214, 215.

drooping courage of the exiled Canadian traitors, and inducing their sympathetic American friends to engrave "the name of Lord Durham on the blades of their bowie knives in demonstration of their idea of the certain result of 'Responsible Government.'"[88] In Nova Scotia the newly constituted Legislative Council also adopted resolutions condemning Durham's findings and suggestions.[89] But it was among English Tories that Haliburton found the heartiest corroboration of the spirit and purpose of his *Reply,* if the furious criticism of Durham's *Report* which it inspired in *The Quarterly Review*[90] reflected at all accurately their general sentiments. In the estimation of that ardent promoter of the rule of force, it was a "mass of presumptuous and mischievous nonsense" which made up the *Report,* and the scheme which it proposed "must be utterly rejected." It was, moreover, "a farrago of false statements and false principles" and "the *most fatal legacy* that could have been bequeathed to our American colonies." The *Quarterly's* final passionate outburst was worthy of Haliburton himself in the midst of his most excited fears: "if that rank and infectious Report does not receive the high, marked, and energetic discountenance and indignation of the Imperial Crown and Parliament, *British America is lost.*" With this ultra-Tory pronouncement, the echo of his own judgment, Haliburton was, of course, in perfect agreement. By the force of his violent reaction to the promise of colonial liberties he had placed himself fairly in the ranks of those political extremists whose influence he had so strongly deprecated but a short while previously.[91] How completely he had grown out of sympathy with, and understanding of, the prevailing spirit of his time, especially in the colonies,

[88] *Ibid.,* xvii.

[89] Howe, *Speeches and Letters,* I, 217.

[90] LXIII, 521, 522.

[91] See above, 226.

can best be shown by a glance at the reception accorded Lord Durham's *Report* outside the circles of despairing Tories. In England, where there was usually a large degree of indifference to the fate of dependencies, in spite of the venom of its critics, it awakened generally high enthusiasm. In the colonies, as Charles Buller wrote,[92] it became "the textbook of every advocate of colonial freedom," and far from its being the source of treason and rebellion there that Haliburton and the *Quarterly Review* assured their readers it would, it was the occasion of a loyal and spontaneous devotion to the Empire. Even in disaffected Canada it became the rallying point of a submissive people eager for the adoption of its principles.[93] In Nova Scotia, no less than in the other colonies, it was greeted by the majority as the definite assurance of the long sought for new era of reform. The House of Assembly, then dominated by Joseph Howe and his followers, the real representatives of popular feeling, passed resolutions concerning it precisely opposite in character to those adopted in the Legislative Council. *The Novascotian* recommended its study "as the best exposition that has yet been given of the causes of the dissensions in the Canadas, and containing the best suggestion for the avoidance of kindred troubles in all the Provinces," and warmly approved of its remedies for securing harmony between people and executive as being "perfectly *simple* and eminently *British*."[94] Nowhere, indeed, was Haliburton more hopelessly opposed to the characteristic desires and

[92] After Lord Durham's death, 1840. See Durham's *Report*, edited Lucas, III, 374, 375. Buller was Durham's chief secretary in Canada and during the preparation of the *Report*.

[93] With the exception, always, of that which looked towards the gradual absorption of the French- by the English-speaking settlers.

[94] Howe, *Speeches and Letters*, I, 217.

determination of the day than in his own province. If he thought by the invective of his *Reply* to delay for a single moment the coming of responsible government to Nova Scotia he was doomed to grievous disappointment. Even more disheartening than mere failure was his positive achievement. He had succeeded very largely in destroying his power to influence, one might almost say to interest, his fellow-colonials, — except as a target for their opprobrium. And it was by his own countrymen that he was forced to pay the humiliating penalty of his exaggerated partisanship.

Copies of *The Times* containing his assault upon the Earl of Durham had barely preceded Haliburton homeward, whither he journeyed in the spring of 1839, after having allowed himself the novelty of an ocean steamship voyage on the *Great Western* to New York,[95] when a furious counter-assault was launched against him through the columns of *The Acadian Recorder*[96] by an anonymous writer signing himself "Also a Colonist." Every weapon of argument and abuse which Haliburton had employed in his *Reply* was now turned upon him with far more skill and fury than had ever been his to command. "Feel the pangs which, with demoniac pleasure you strove to inflict; writhe under the scourge which hate and envy and partisan views induced you to flourish," his self-appointed castigator warned him of what to expect, as the process of chastisement began. Every fact of his public record as a politician, judge, and humorist, that could possibly contribute to the completeness of his discomfiture was used to lash him into contempt. The impossibility of his sustaining the triple rôle without loss of dignity and honor was pointed out. Much was made of the effrontery of his

[95] Georgina Haliburton, Manuscript.

[96] May 18, 1839, and ff. nos.

attempt to bring Lord Durham into disrepute, of the unfairness and meanness of his methods, and of the inadequacy and weakness of his case against the theory of colonial self-government. "The Report of the Earl of Durham, will stand a monument of imperishable honour to his memory," he was assured, "when you and your bubbles shall have passed into long oblivion." The service of his books to the Tory cause was brought under incriminating review. He was reproached with endeavoring to block constitutional progress in order to continue the system upon which he depended for appointment and salary. Even his literary shortcomings were dragged forth in cynical disdain, and he was ridiculed with having ventured "gladiator-like" into the arena of controversy when intoxicated with an unexpected fame of authorship. He was charged with political inconsistency, and with having sold himself to a party. It was a most damaging accusation, but it was pressed openly and without pity:

"The time was, Sir, when you gave indication of being possessed of an independent and honest mind; but you became recreant to your own principles, sold yourself to a party, and now basely employ your prostituted pen, to effect the destruction of opinions, which you then possessed. It is in the recollection of us all, that at the time you possessed a seat in the popular branch of the Legislature, you led or at all events went with the 'discontented party' in this province. None then so clamorously as you, twanged the oratorical bow; none so truly pointed the barbed arrow of ridicule, at the then Council and other constitutional absurdities of the provincial government. You became a Judicial functionary, and . . . no sooner felt yourself independent of the means of your elevation, than you became anxious to convince the public mind by every means in your power, that you had been a mere political hypocrite. You kneel at the idol of conservatism, and affect the devotee at its sanguinary shrine. You sacrifice upon its unholy altar the principles you once professedly cherished, the rights you once advocated, and the gratitude you still feel to be due to your country in order to propitiate an impure God."

A month's installments of this sort of thing culminated with:

"I denounce you as as enemy to your country and the Empire! I proclaim you a traitor to the most sacred rights of your native Province, a renegade to British freedom! And I consign you, Thos. C. Haliburton, to the scorn, the contempt and the detestation of your betrayed and libelled countrymen."

While the evidence was being produced upon which this terrific indictment was based, another series of letters, undertaken also to excoriate Haliburton for his political activities abroad, was commenced and ran side by side with "Also a Colonist's" in *The Acadian Recorder*.[97] Though cruder in workmanship and more trifling in tone, they were not less serious in intent or defamatory in effect. The particular means of vilification in which their anonymous author, "Peter Pindar," took most frequent and shameless delight was the distribution of malicious gossip and disagreeable small-talk concerning Haliburton's personal affairs and prospects. Certainly for excessive indulgence in contemptible personalities Haliburton could have been no worse than his detractors. But he had given too much cause for their anger to reasonably complain of his treatment. The long period of immunity from rebuke which he had enjoyed in saying what he pleased about his fellow Nova Scotians was definitely at an end, and he was now compelled to settle for it at a high price, with no discount for good intentions. "Peter Pindar" was the first of his critics to exact payment in revenge for the *Clockmaker's* derogatory observations regarding provincial people and customs.[98]

[97] May 25, 1839, and ff. nos.

[98] "Also a Colonist" noticed too that Haliburton "abused, ridiculed and libelled the mass of the people," but made little capital of the fact.

"Know ye then that his Honour Mr. Justice Haliburton (I believe this is the title I should give him)," he wrote with clumsy sarcasm, "although until lately an obscure individual, as far as the people of England were concerned, still here he was one of our great folks, and I believe he actually had a grandfather . . . [99] besides which he had a father, a talkative body who was a Lawyer in a country part of the Province, where he got into some pretty considerable practice, and finally was made a Judge, and left all his practice to his son — sole party in the present controversy. Now as the father was a Judge, and the son was ready at drawing out writs and subpoenas and other law papers, folks knew well what Lawyer to employ. Be that as it may, our politician accumulated practice and as we say, 'got on in the world'; and finally by right of fair inheritance (for here we disturb no 'Vested Rights') he became Judge himself. And thus in his own right he became one of our great men. His present high standing, however, does not rest on this. The book which he has written, I mean Sam Slick, has gained him so much applause, and secured him so much popularity among the great folks, in the great town of London, that it has absolutely made a great man entirely of him and raised him up to a perfect equality with Lord Durham, or any other great man of the day. . . .

This zealous politician, Mr. Printer, notwithstanding all that men may say to the contrary is a cunning fellow, and knows how many blue beans make five. . . . The party here to which he belongs is now in rightful possession of all the power and patronage of the country, — which power and patronage they must lose, and they themselves sink into oblivion, and be no more known hereafter than their grandfathers are at present, if Lord Durham's plans succeed. His bright and intellectual eye has caught a glimpse of this and he has promptly made up his mind which side to take. Why, Mr. Printer, you yourself know that the very court over which his worship rules with absolute power is thought by many to be a perfect nuisance in the country, and that the money paid to him as Judge is worse than thrown away.[100] What then will become of him, let alone the party to which he is leagued if the

[99] By which, the writer explains, he means that Haliburton was not one of the local newly great who found it convenient to forget their relatives.

[100] See above, 12, 13, and below, 397, 398.

Representatives of the people should have the power of government put under their control in the manner recommended by Lord Durham? Popularity is a poor dependence for food and raiment. . . . and as the popularity which our inferior Judge possesses, lays [*sic*] every whit of it on the other side of the Atlantic . . . [and as] throughout his writings he has stigmatised and defamed the people of these colonies, insomuch that if he had to depend upon them solely for the means of living, I am absolutely afraid he would have hard fare."

The torrent of abusive correspondence thus let loose upon Haliburton gathered force and volume in its rush. It spread from Nova Scotia into New Brunswick and Lower Canada.[101] Within a fortnight the editor of *The Acadian Recorder*, evidently alarmed at the consequences of allowing it to sweep on uncontrolled, was moved to publish the following announcement:

"To Correspondents — 'Peter Pindar,' 'A Man,' 'No more at present' (a dialogue), 'I Smell a Rat,' 'January Snow,' and several others, all aimed at Judge T. C. Haliburton, are received.

Our correspondents must excuse us for denying the publication of all their contributions; it would be highly indiscreet, we think, to allow our columns to be wholly monopolized by one subject, besides some of them make use of personalities utterly too gross and bitter for our acceptance"![102]

The communications which accompanied this notice prove that editorial restraint in *The Recorder's* office was being applied none too soon.[103]

In possible anticipation of just such an uproar of remonstrance and execration as greeted Haliburton after his return from England, his friends and political associates had arranged for a public testimonial to the esteem

[101] *Acadian Recorder*, July 13, 1839.
[102] *Ibid.*, June 1, 1839.
[103] See below, 284, 285.

in which they believed he merited being held. Their attempt to vindicate the oracle of provincial Toryism took the form of a complimentary dinner "to the Historian of Nova Scotia."[104] Ostensibly it was to be an affair without political significance, intended to do respect to a native son who had distinguished himself in the field of letters and awakened a wider interest in his province than it had ever known before. But certainly a not inconsiderable portion of the public believed that in reality it was an effort to rehabilitate a reputation sorely damaged in the battle against responsible government, undertaken in defiance of popular opinion and in pretended indifference to the drift of events by a party which knew that its days as a political power were numbered. All shades of local opinion, however, were represented among the guests invited. The banquet, held on the night of June 4, 1839, in the famous old Masons' Hall, the scene of many brilliant festivals in Halifax, was to all appearances a highly satisfactory affair. "A more sumptuous dinner, for so large a party, we never saw spread in Halifax; and one better conducted in all its details, and more happily managed from the commencement to the close, we never expect to see," was *The Novascotian's*[105] approving comment. One hundred and ten of the most prominent citizens were present. The Honorable J. B. Uniacke, leader of what was then called "the government," but what was the actual minority in the House of Assembly, presided. The most notable representatives of the party of officialdom, the Lieutenant Governor and the Chief Justice, attended — but not the Bishop! And a goodly number of army colonels and navy commanders lent real lustre to the occasion. With others of the reform party, Joseph Howe was there,

[104] From the published invitation, *Novascotian,* May 23, 1839.
[105] June 13, 1839.

though in evident embarrassment, and in his carefully guarded response to the toast to "The Press," while he gave proof of his personal loyalty to Haliburton, he did not deny that there were political differences between them.[106] The tributes to the guest of honor were sufficiently flattering, if formal. Haliburton was told that Nova Scotians were proud of him, and that the company gathered about him knew how "to appreciate his genius, and estimate the services he had rendered to his country." Of his success in the field of didactic humor, the toastmaster said, with proper command of after dinner eloquence, ". . . there breathes not one among this distinguished assemblage, who does not feel an interest in the author of the Clockmaker, — who has not been entranced by its humour, and enlivened by its wit, and, when its wholesome moral was instilled, who did not applaud the skill which touched with honey the edge of the cup that held the healing draught; and though the censure might be severe, and the sarcasm cutting, yet the motive was so pure that we forgave; and, like the sandal tree, shed perfume on the axe, that wounded it;" and regarding Haliburton's unique triumph abroad the company was reminded that "his intellectual works have earned for him the applause of Europe, and enrolled his name among the most distinguished authors of modern times; he has passed through the ordeal of criticism, and the enlightened minds of Albion have pronounced a judgement which renders his name renowned where literature is known and genius appreciated."

Haliburton's responses, if not calculated to appease the resentment kindled against him, were dignified or witty according as the toasts to him as historian or humorist

[106] Throughout the period of Haliburton's defamation, Howe preserved neutral silence in *The Novascotian* in respect to the attacks on his friend.

dictated, and phrased with scarcely a hint of animosity towards his calumniators. Only in speaking for Sam Slick did he allude to the current slander and abuse, and then not in self-defence, but in justification of the Yankee philosopher's pet project for Nova Scotia's development, a railroad.

"It gives him the greatest pleasure possible," he said of Mr. Slick, "to hear all this abuse, for it is a sure sign he is going ahead. He observes, he says, that curs never bark at a horse that is standing still tied to a fence, but only at them that is galloping along the road full split. Now he says Old Clay[107] is a great goer, but he would advise them barking curs not to come too close to his heels, for he is an everlasting kicker, and it aint over safe for them."

There was, however, a trace of over-anxiety to justify himself, which must have raised here and there a derisive smile about the festive board, when he protested that he had written *The Clockmaker* "neither as a Tory, a Whig, or a Radical, but as a Nova Scotian, not for a party, [but] for the country."[108] And yet his auditors could not have been much surprised at his declaration, since in his public acceptance of the honor proffered him he had announced that though "separated from local politics by the situation I have the honour to fill in the Province, I am happy that the field of literature is neutral and common to all."[109]

Whatever personal gratification Haliburton may have derived from the commendation of his literary labors, spoken at this apparently enthusiastic gathering of his fellow countrymen, and whatever indifference to the opinions of others it may have inspired him to as-

[107] See above, 157, foot-note.
[108] *Novascotian*, June 13, 1839.
[109] *Ibid.*, May 23, 1839.

sume,[110] both were surely tempered by the diabolical glee with which the hostile press improved the occasion to heighten the hue and cry against his politics. The climax of disparagement which he had to endure had been reached on the very eve of the banquet. Some idea of the intensity of the feeling then openly expressed against him is conveyed by these two contributions to the same issue of *The Acadian Recorder* in which the editor had made known his receipt of others still more defamatory: [111]

"For exhibition, at the Mason Hall, 4th June. A Cameleon.

The creature was taken some years since near Bear River, in the County of Annapolis, by an old French Abbe. Singular to say, he took a liking for Holy Water & Frenchmen, & would then snarl at the very sight of a churchman's Apron. He was brought to town & kept in the Province Building for some years, but being worried by a person about the place of the name of Barry,[112] he disappeared & was found at Windsor, where, from the *grub* his old friends in the Building always sent him, he continued to subsist well until a Yankee Pedlar purchased him & took him to England. Here he amused the public by his facility in changing colour, the deep Orange always predominating — though it was remarked that nothing of the *true blue* was ever visible. His master the Pedlar, succeeded in producing a great change of habit.

On the day above named, he will be fed in public; but though the diet promised is the natural food of the animal — such as leaves all the tints & colours of the skin unchanged, — it is strongly suspected that some mischievous wag may drug his fare & make him mischievous.

Some of the dogs & curs which used to tease & worry him will now fawn upon & feed with him. His temper is good, though he snapped at the Earl of Durham with less success than the *Fox* which bit the Duke of Richmond when Governor General of Canada.

Ha, Ha."

[110] For Haliburton's later reaction to the honor done him at this banquet, see below, 323.

[111] June 1, 1839. See also the lampoon of the banquet-guests and programme in the same issue.

[112] See above, 146, foot-note.

"As one deeply interested in the welfare of the Province, with whose fortunes my own destinies are indivisibly connected, I thus assume the liberty of a trespass upon your columns for a few minutes.

A festival is proclaimed through the medium of the Press to recognize 'The Historian of Nova Scotia.'

I, gentlemen, knew some eleven years since that Thomas C. Haliburton, Esq., member for the County of Annapolis, was the author of the History. The title page *tells to Nova Scotians this fact.* It told it, *at the present period to which I have referred.* It was then not deemed worthy of such a public testimony of its merit. Now, forsooth, a sudden revelation of the work's *excellencies* has been imparted to some who *charged* (*and dare not deny it*) the author with *mischievous purposes* in so forcibly depicting the demoniac cruelties practised upon the poor Acadians of the Province. At that time the History was the *Product of Radicalism* — a prepared hot bed of mischief, — the very spot into which the seed of the Dragon's Teeth should be sown. Now — the breath of the winds of eleven years having blown softly over it — it becomes, when seen through *The Bubbles of Canada,* a species of Neutral Ground to Tories. Proh pudor! When, in the freshness of the publication, the young native pored over its pages & imbibed the initial knowledge of circumstances which imported the destinies of the Province, it would be well to have uttered some accents of thankfulness to him, whose industry had furnished the instruction. But is he who thus having read that work as a child, now at the period of manhood, when the author — a deserter from the standards he was the first to erect — a renegade, (& so cherished by the Tories) — to recognize in T. C. Haliburton, Esq., the same person? A spirit capable of inducing a person thus to do, would misbecome the heart of

A Nova Scotian."

In spite of anything that the generous approval of his friends could do to restore it, Haliburton's personal popularity, none too general in Nova Scotia at any period of his career, never recovered from the set-back it received there as the result of his ill-considered publication of *The Bubbles of Canada* and the *Reply to Lord Durham.* Even

the local pride in his growing literary fame, so common following the appearance of the second *Clockmaker,* largely disappeared during the rest of his life-time, and the applause that had greeted his earlier endeavors at authorship was at home from 1839 on more frequently withheld than given. It was only after his death, when his reputation had become to a considerable extent mythical, that he was restored to the position of minor greatness he had once occupied in his native province.

CHAPTER XII

THE LETTER-BAG AND *THE CLOCKMAKER*, THIRD SERIES

With the acceptance of Lord Durham's *Report* by Her Majesty's ministers the battle for responsible government in the colonies was not ended. When Haliburton left England in March, 1839, there were good reasons for believing that the Whig majority in Parliament might be overthrown, as indeed it was for a negligible ten days in May of that year.[1] But the Melbourne administration managed to weather through until the problem of the colonies was well on its way to settlement. Before Haliburton's next book, *The Letter-Bag of the Great Western,* was published, Lord Glenelg's somnolently incompetent regime at the Colonial Office had been brought to a close, Lord John Russell placed in charge there, and his friend and party colleague, Poulett Thomson, afterwards Lord Sydenham, a man of practical training, sound sense, and rare tact, appointed to carry on Lord Durham's task as Governor-General of Canada. Previous to his acceptance of office as Colonial Secretary, however, Lord John Russell had given cause for temporary disappointment and discouragement on the part of those colonists who had hoped to see the recommendations of Lord Durham's *Report* brought speedily into effect. During a debate in the par-

[1] For this and the following facts of this paragraph see Reid, *Life of Durham,* II, 365–368; Howe, *Speeches and Letters,* I, 268, 287, 288, 296, 301; Adam Short, *Lord Sydenham,* 163–183; J. W. Longley, *Joseph Howe,* 54, 55, 60–68; *The Annual Register,* 1839.

liamentary session of 1839 on the necessity of a united legislature for Upper and Lower Canada and the extension of Lord Durham's extraordinary powers as governor of the two colonies to his successor until 1842, Russell had borrowed both the fears and the arguments of his Tory opponents and had appeared in the House of Commons as the supporter of the traditional point of view, that executive responsibility in the dependencies would mean conflict with the Imperial authority. Coming from an ardent Liberal and Durham's chief defender it was a severe blow to the colonial reformers. Joseph Howe for one, however, refused to be disheartened or to believe that Russell yet thoroughly understood the situation in the colonies, and addressed to him a series of four open letters going over the whole ground of colonial grievances and reinforcing and illustrating the justice of Lord Durham's findings for responsible government. This notable appeal,[2] reprinted in pamphlet form and circulated throughout the United Kingdom and the colonies, constitutes the most striking proof of its author's qualities of really great statesmanship which the immense mass of his public utterances affords.

Whether Howe's letters had any effect on Russell's opinion may be doubted, but the fact remains that shortly after Lord John assumed direction of the Colonial Office he forwarded dispatches to the new Governor-General of Canada and the Governors of the other provinces which, while they reiterated the dangers of accepting responsible government as a principle, laid down such instructions for appointing and dismissing the colonial executives as, if carried out, would result in the practical application of the very system denied in theory. It may have been an evasion intended to preserve ministerial con-

[2] To be found in Howe, *Speeches and Letters*, I, 221–266.

sistency, but it was at the same time an adroit means of meeting the needs of the colonies. Happily, Poulett Thomson was in thorough sympathy with the ideals of Lord Durham's *Report*, and only needed an opportunity to set to work to introduce them into the government he had come to reconstruct for the Canadas. In New Brunswick, the Governor, Sir John Harvey, was no less eager for legislative harmony, or responsive to official suggestion, and the benefits of a reformed popularly controlled Council were at once secured for his province. In Nova Scotia, however, Sir Colin Campbell either failed to receive the dispatches containing Russell's instructions or else failed to regard himself as bound to accept them. The consequence was that there the agitation for a responsible executive continued, and with increasing excitement, until finally in March, 1840, it reached the point where the House of Assembly risked passing an Address to the Throne praying for the Governor's recall. Though the Address was never transmitted through the Colonial Office to Her Majesty, an opportune visit of the Governor-General was arranged for during the midsummer ensuing, and Sir Colin Campbell's removal followed at once. It was while the provinces were disturbed with fear lest Lord John Russell would actually fail the cause to which his defence of Durham had seemed to commit him,[3] and during the subse-

[3] Reid's statement in his *Life of Durham*, that "Lord John [Russell] adopted the principle of local self-government which Durham had advocated, and sought with due regard to Imperial supremacy, to make the Government of Canada a transcript of the British constitution" (II, 366) creates the impression that Russell gave to Durham's recommendations for the colonies his enthusiastic and sympathetic approval from the first. Such a view of Russell's attitude is not sustained by the facts of the case, and is completely controverted by Lucas in his edition of Lord Durham's *Report*, (I. 143–145, 288, 289). Not only did Russell practically

quent period, when the Nova Scotians were pressing for their Governor's response to Lord John's somewhat delayed and equivocal endorsement of Durham's fundamental propositions for colonial administration, that Haliburton wrote the third and last series of his *Clockmaker*, published, like his just previously completed *Letter Bag*, in the year after his return from abroad. Both books were thus the product of a time when the provincial Tories saw reasonable prospects of the reformers' final triumph being seriously delayed, so that no sign of capitulation or repentance appears in either. On the contrary, in so far as they

---

repudiate Durham's proposal of responsible government by his theoretical arguments in Parliament and his official despatches, but in his support of the Union Bill of 1840 he lent his powerful aid to a more complete nullification of Durham's intended results. What Durham proposed for a legislative union for the Canadas, was a single Parliament, and the upper House of which was to be appointed by the Governor with due care that all interests be fairly represented, and the lower House to be elected on the basis of the distribution of population in the united province. This would have given the English-speaking settlers the majority representation in both Houses. The Council, of course, was to be responsible to the majority. This plan, Durham believed, would have brought about the disappearance of a French nationalism in Canada. The Union Bill which Russell supported provided for a single Parliament with an Assembly made up of equal numbers elected from each of the two provinces. Such an arrangement could only result as it did, in a racial deadlock. In the end, however, Russell's departure from the course advised by Durham resulted in benefit, for the impossibility of the two races getting on together in the legislative union which Russell and his colleagues provided, hurried forward the day when the federal union of all the British American provinces was consummated. But with the Union Bill of 1840, the opportunity of testing whether there were reasonable grounds for Durham's hope of anglicizing the French-Canadians by associating them with the English-Canadians in a legislature such as he proposed was, of course, lost forever.

touch on politics, and it is the main concern of the former, they are written in the spirit of confident opposition.

Much of *The Letter-Bag of the Great Western, or, Life in a Steamer* was composed by Haliburton for the diversion of his fellow-passengers on his steamship voyage from Bristol to New York in 1839.[4] It is among the least important of his works. Such slight interest as it now has lies mostly in its unexpected disclosure of Haliburton as a veritable virtuoso in humorous dialects, with a repertoire which included, besides his own then well-known variety of Yankee lingo, a minstrel-show version of American "nigger talk," the divers forms of old country lower-class speech attributed to cockney criminals, country bumpkins, serving-maids, butlers, and coachmen, and the stock perversions of broken English regularly assigned to Jews, Frenchmen, and Germans. What Haliburton had in mind to do with his bagful of letters was to exhibit different types of supposititious travellers on the *Great Western* each speaking in a manner appropriate to his race or rank. What he achieved was indifferent caricature of the outstanding class features generally thought to be characteristic of the various persons presented. If his efforts amused some of those on ship-board, they must have enraged others, unless, as is highly probable, a good many of those made jest of were entirely unaware of them. Many of the sketches fail even in such broad truthfulness to the originals as is attained by a skillful cartoonist, largely through the intrusion of Haliburton's habitual opinions as

[4] Georgina Haliburton, Manuscript. See also Note in Henry Gray's Canadian Catalogue [of second-hand books], No. 3, 14: "Written on fly-leaf [of listed copy of *The Letter-Bag*] 'Judge Haliburton, the author was one of my fellow passengers in a 23 days' voyage, p. G. Western, to New York in March, 1839, and was a contributor of the following pages to a manuscript newspaper published on board.—J. H. Dillon.'"

to radicalism or democracy, and his frequent indulgence in such perfect orgies of punning and word-playing as the following:

(A midshipman of the Royal navy, writing to a brother officer, comments on the usual plight of the *Great Western's* passengers.) "We have lots of land-lubbers on board, young agitators, fond of 'intestine commotions,' who are constantly 'spouting'; maidens whose bosoms 'heave'; young clerks, who 'cast up accounts'; custom-house officers, who 'clean out'; sharpers given to 'over reaching'; Jews, who at the taffrail 'keep a passover'; lawyers, who 'take nothing by their motion'; doctors who have 'sick visits'; choleric people, who cannot 'keep down their bile'; bankrupts, who 'give up all they have'; spendthrifts, who 'keep nothing long'; idlers, who do nothing all day but 'go up and down'; men of business exhibiting 'bills of lading'; swindlers, who 'cut and run'; military men, who 'surrender at discretion'; boys, that quarrel and 'throw up at cards'; servants who cannot 'keep their places'; auctioneers with their 'going — going — gone'; preachers who say 'they want but little here below nor want that little long'; hypocrites that make 'long faces'; grumblers, that are 'open mouthed'; babblers that 'keep nothing in'; painters ever reluctant 'to show their palette'; authors, that cannot conceal their 'effusions'; printers, that never leave 'their sheets'; and publishers, that first 'puff' and then 'bring forth their trash'; in short men of all sorts in 'one common mess.'" [5]

As dull as this is, it is as well done as most of the book.[6]

[5] *The Letter-Bag of the Great-Western,* 41. The references are to Joseph Howe's edition of 1840.

[6] A recent estimate of *The Letter-Bag* (See A. H. O'Brien, *Haliburton, A Sketch and Bibliography,* 17), singles out its imitation of Fanny Kemble's *Journal* ("The Journal of An Actress," *Letter-Bag,* 17–26) for commendation, but contemporary opinion, while noting the resemblance between the passage named and its obvious original, agreed in calling it a poor performance at best. See *Monthly Review,* March, 1840, 306; *Spectator,* Jan. 18, 1849. 65, 66. In reality it reveals no marked ability in characterization, and is almost as forced and unreal a parody as that of a midshipman's letter just quoted.

As one might naturally expect, *The Letter-Bag* contains frequent allusions to Haliburton's first experience with steamship travel, but from his old-time propensity to occupy two positions at once it is well-nigh impossible to tell whether upon the whole it was the comforts or discomforts of the voyage that impressed him the more, though from his thorough conversion to the advantages of steam as a motive power in transportation one must conclude it was the former. At the same time one seems to detect a sigh of regret at the passing of the ten-gun brigs. From the remarks of his characters upon the effluvia of the negro stewards, the inattention and incivility with which the passengers were treated, the gluttonous table manners and disagreeable familiarity of the whole ship's company, the filth of the staterooms and saloon, and the untidiness of the decks, the lack of space to move about, outside or in, and, to top all, the horrors of seasickness, one might suppose, too, that Haliburton entertained no better opinion of the pleasures of an ocean crossing by steam than did Charles Dickens. But this testimonial to the courtesy of the steamship company's directors and his "flaming panegyric"[7] of the *Great Western's* commander lead one again to quite the opposite belief:

"In justice to my friend Captain Claxton, and the Board of Directors at Bristol (from whom, upon a recent occasion,[8] when personally suggesting the propriety and discussing the feasibility of establishing a steam communication with Nova Scotia, I received the most friendly and courteous treatment), I ought to state that I was myself one of the passengers on board of the Great Western during the voyage when this letter-bag was made up; indeed as a corpulent man, I may add, with more truth than vanity: 'quorum magna pars fui.' From my personal experience, therefore, I can say that the writers of several of these letters have drawn largely upon their imagination, and that I should feel that I neither did

[7] *Spectator*, Jan. 18, 1840, 40, 66. [8] See above, 219.

justice to its enterprising and meritorious owners, nor to my own feelings, if I did not avail myself of this opportunity to express my unqualified approbation of this noble ship, the liberal provision for the comfort of the passengers, and my admiration of the skill, unremitting attention and urbanity of its commander." [9]

If one is still left with some doubt as to what Haliburton really thought of the accommodations on the *Great Western*, however, the uncertainty does not extend to his opinion of the Rhine, provided what he tells in *The Letter-Bag* of his trip up the river is an accurate reflection of the impressions made by that portion of his travel experience, — nor to his distrust of poets as guide-book companions, nor to his preference for the inspiration of the future possibilities of the colonies as compared to that of the glorious past of Europe. Writing as a New Brunswicker to his friend in Fredericton, he says:

"I have been up the Rhine since I saw you, and, notwithstanding that I am so familiar with, and so attached to our own magnificent river, the St. John, I should have been enraptured with it if I had never heard of it before; but Byron has bedeviled it as Scott has Loch Katrine. It is impossible to travel with pleasure after a Poet. . . . Disappointment constantly awaits you at every step — you become angry in consequence, and instead of looking for beauties, gratify your spleen by criticising for the pleasure of finding fault. Viewing it in this temper, the lower part of the Rhine is as flat and level as any democrat could wish, and the upper part as high, bold and overbearing as any autocrat could desire. Then the ancient ruins, the dilapidated castles, the picturesque and romantic towers of the olden time, what are they? Thieves' nests, like those of the hawk and vulture, built on inaccessible crags, and about as interesting. The vineyards, about which imagination has run riot, the luxuriant, graceful, and beautiful vine, the rich festoons, what are they? and what do they resemble? Hopgrounds? I do injustice to the men of Kent, they are not half as beautiful. Indian corn fields of Virginia? they are incomparably inferior to

[9] *Letter-Bag*, Preface, xv, xvi.

them — Oh! honest currant bushes trained and tied to their stakes, poor, tame and unpoetical. Then the stillness of death pervades all. It is one unceasing, never-ending flow of waters — the same to-day, to-morrow, and for ever — the eternal river; here and there a solitary steamer labours and groans with its toil up the rapid stream. Occasionally a boat adventures, at the bidding of some impatient traveller to cross it. But where is the life and animation of our noble river; the busy hum of commerce; the varied, unceasing, restless groups of a hardy and enterprising population? I know not; but, certainly, not on the water. Dilapidated towers frown on it; dismantled halls open upon it; the spectres of lying legends haunt it; and affrighted commerce wings its way to more congenial streams. It made me melancholy. May poetry and poets never damn our magnificent river with their flattering strains, as they have done this noble one, to the inheritance of perpetual disappointment. . . . Who ever ascended the Rhine without an undisguised expression of disappointment, or a secret feeling of vexation . . . and why? because he has heard too much of it. . . . Scenery cannot be described; whoever attempts it, either falls short of its merits, or exceeds them . . . the poet is least to be trusted of all; he lives in an atmosphere of fiction, and when he sketches, he has mountains, skies and cataracts at command, and whatever is necessary to brighten the effect, is obedient to his call. He converts all into fairy-land. Now, don't mistake me; old boy, I am neither undervaluing the Rhine, nor the poets, but that river needs no poets. Good wine requires no bush. Whether we shall ever have a poet, I know not . . . but if we shall ever be so fortunate, I most fervently hope he will spare — the river — yes, par excellence — *the* river."[10]

In spite of its unimportance *The Letter-Bag* had at one time a decided and unenviable notoriety which arose from its exhibition of a more than usual freedom in the matter of mild indecencies than Haliburton was accustomed to allow himself. To the *double entendres* by which the book is disfigured at least one of its English critics made vigorous objection,[11] while *The Acadian Recorder* worked it-

[10] *Ibid.*, 60–62.

[11] *Monthly Review,* March, 1840, 310.

self into a passion of virtuous indignation over their offensiveness nearly equal to that reached in its protests against Haliburton's politics. "As a seventh rate author Judge Haliburton seems pre-eminently qualified," is the *Recorder's* incensed comment of one issue,[12] and another two weeks later announces, perhaps more intelligibly, as well as more emphatically, that "we affirm most positively, that in our humble opinion, the circulation of the Letter-Bag will have a most injurious operation on the morals of all those who have patience to peruse the letters."[13] According to Joseph Howe[14] Haliburton's disregard of the proprieties in this volume seriously interfered with its sale and had the further lamentable effect of diminishing his personal popularity abroad, already on the decline there owing to the alleged hoax connected with *The Bubbles of Canada.*[15] Fourteen years after its publication the unsavory reputation of *Life in a Steamer* was still persistent. Among the few humorous works ever written to trade on the popularity of Sam Slick by others than by Haliburton himself, is one brought out in 1854 under the pretence of being by a certain Jonathan Slick, Sam's own brother, which contains this amusing account of *The Letter-Bag's* vulgarities:

"I feel sort of wamblecropped to day, par, for I've just been a reading our Sam's new book about the Great Western. I was up to cousin Beebe's when he brought it hum, and begun to read it to Mary. He hadn't read more than twenty pages afore cousin Mary made believe a headache, as women always do when they feel oneasy about anything, and she cut and run with about the reddest face I ever did see. I felt as streaked as a winter apple, and cousin John, sez he —

'Jonathan, if the folks off in Canada hadn't made Sam a judge,

[12] Mar. 7, 1840.
[13] Mar. 21, 1840.
[14] See below, 401.
[15] See above, 241, 242.

I'd stick to it that he wasn't a relation of mine; his book raly ain't fit to read afore the wimmen folks.'

I wanted to stick up for Sam, but I'll be darn'd if I could see how to du it, for the book's an allfired smutty thing, and that's the fact; but I thought what consarned rough words the printers sometimes put in my letters to you, when I've writ something very different,—and so, think sez I, I'll put it off onto the printers and publishers; for I'll be choked if I don't believe they've made as much of a mistake in publishing the book as Sam did in writing it. So sez I,

'Sam's first book was a peeler, and a credit to the family; and I hain't the least doubt that this one would have been jest as good, if Sam hadn't strained to beat t'other, and so broke his bridle. The genuine grit ain't all sifted out on'm, I'll bet a cookey; and I hain't the least doubt that the printers spiled this one.'"[16]

If anything like the skill obtaining in that part of *The Letter-Bag* devoted to Lord Durham's *Report* had been used throughout the rest of the book it would almost certainly have been rescued from the place of comparative insignificance it now occupies among its author's works. Haliburton's departure from England on the *Great Western* had been sufficiently in advance of the unpleasant consequences attendant on his foolhardy partisanship while abroad, to prevent his feeling any trepidation about continuing his efforts to discountenance his chief aversion. Had he always confined himself to the method of discrediting Lord Durham pursued on shipboard, his return home might have been less embarrassing than it was. Instead of falling into the error of ill-temper which so promptly defeated the intention of his *Reply*, he made use in *The Letter-Bag* of a more efficient and less offensive instrument of retort than mere angry abuse, and for once proved himself a master of ironical burlesque, conceived and executed with due regard to the rules of fair-play. The whole of one

[16] Jonathan Slick [Mrs. Ann Sophia Winterbotham Stephens], *High Life in New York*, 144.

letter, that from an investigating Loco Foco of New York to a Sympathiser of Vermont,[17] is devoted to a full length travesty of the entire *Report*. Though hitherto unnoted by his commentators, it is easily the cleverest piece of sustained political satire Haliburton ever wrote, and one which might have been the most telling had its possible results not been forestalled by his previous extravagance. If only because it has been so generally and undeservedly ignored it merits reprinting complete, but one paragraph must suffice here to illustrate its effectiveness. It will be recalled that Lord Durham himself never visited Nova Scotia, but based his description of conditions in that province upon the report of a special commissioner, which he corroborated by an unexpected reference to "a highly popular work, known to be from the pen of one of Your Majesty's chief functionaries" there.[18] This is Haliburton's retaliation:

"Scotland I have not seen, but my clerk took a ride into it of twelve hours, and he informs me that more than half the houses are uninhabited, the natural consequence of misrule and misgovernment. It is easy to conceive how great must be the distress occasioned by the abandonment of their houses, for as the population has more than doubled notwithstanding, within the last twenty years, it is evident the people must live in the open air, with the beasts of the field, and will soon become as ferocious and as savage as their companions and, like Nebuchadnezzar, feed on the coarse herbage of the earth. This startling fact has I know been doubted, but I am convinced of its truth, because one of their most popular authors has endeavored to stimulate his countrymen to exertion, to induce them to make rail-roads and to prevail upon them to adopt the modern improvements in agriculture, which is to my mind a convincing proof that he disapproves of the Government, though delicacy prevents his saying so; or perhaps, being opposed to revolutionary doctrines, he has thought proper to con-

[17] *Letter-Bag*, 156–164.

[18] See above, 262.

ceal what he thinks. Although he has not said so, therefore I conclude he thinks so, and boldly appeal to his writings in support of my theory and facts, from the very circumstance of his having wholly omitted any such expression of discontent." [19]

Two sections of *The Letter-Bag* are devoted to extended, and on the whole fairly serious, considerations of the colonial problem, the Dedication and the Letter from the Author. Though both were, in all probability, added after Haliburton reached home and had opportunity to observe the struggle for reform settling into its final phases, they are as nearly devoid of malice in tone and intention as the parody of Lord Durham's *Report*. In the Letter from the Author, Haliburton takes his readers into his confidence:

"Had you had an opportunity of lifting the anonymous veil under which my diffidence finds a shelter, and circumstances had permitted me the honour and pleasure of your acquaintance, during my recent visit to Europe, you would have found that, although I am one of the merriest fellows of my age, to be found in any country, yet I am a great approver of the old maxim, of being 'merry and wise,' being, after my own fashion, a sort of laughing philosopher, and that I most indulge in that species of humour that has a moral in it." [20]

The moral of *The Letter-Bag* is only made clear, however, when after admitting his addiction to "rigmarolly" narratives, and telling one of an incident in his Scottish tour, Haliburton, in order to teach his ideal of government, draws an analogy between the control exercised over the passengers of the *Great Western* and that which should, as he believes, prevail on shore:

"Here [on board] are the same complaints, the same restlessness, and the same air of perverse dissatisfaction . . . as we meet on

[19] *Letter-Bag,* 160. [20] *Ibid.,* 180, 181.

land. . . . Are you a politician? you may confirm or rectify your notions by observing how essential a good, effective, vigorous, business-like administration is to the safety of the ship and the comfort of the passengers. Are you a Christian? you will not fail to observe that in consequence of its being requested by the Directors that every passenger should attend public worship, every one does so; from which you may perceive the advantages resulting from a union of church and state, — and when the whole community thus meets together to unite in their supplications, you cannot but see what a blessed thing it is for brethren to dwell together in unity — how immeasurably superior this union is to dissent — and must admit that they who laid the foundation of your established National Church, were both wise and good men." [21]

Turning, at the conclusion of these deductions, from his general readers to his fellow colonists, the Nova Scotians, Haliburton addresses to them a special message, in which, besides repeating the lesson of loyal subordination to the officers of state, he insists on the application of one more obvious, taught by the *Great Western's* easy progress across the Atlantic. Entreating them, in accordance with the first, "to direct their energies rather to internal improvement than political change; to the development of the resources of their beautiful, fertile, and happy colony, rather than to speculative theories of government," he urges upon them that the "responsibility" they require is what in allusion to the second he terms "*the responsibility of steam.*" [22] On the sort of responsibility just then more commonly heard of in Nova Scotia, Haliburton had already expressed himself in an earlier letter:

"Responsible government in a colony means the people being responsible to themselves, and not to England; dutiful children who owe obedience, but unable or unwilling to pay it, want to take the benefit of the act and swear out. A majority without property, who want to play at impeachments with their political

[21] *Ibid.*, 183, 184. [22] *Ibid.*, 185.

opponents and lynch them. It is a repeal of the Union. It is a government responsible to demagogues, who are irresponsible." [23]

To continue to agitate for so certain a mischief was to invite the disastrous fate then threatening the colonies — their independence.

"This is no improbable event — no ideal danger — no idle fear. I regret to say, that such a course has already numerous and powerful advocates in England, and is daily gaining ground even among our best friends, and staunchest supporters. They are wearied out with unfounded complaints, with restless, unceasing cravings for change, and their own repeated, but ineffectual attempts to give satisfaction. They say, they see no alternative left but coercion, which they will not resort to, or 'cutting the tow rope' and casting us adrift. No true friend to his country can contemplate such an event as a dissolution of British connexion, without the severest regret, the deepest, the most painful apprehension." [24] Moreover "... it is our peculiar good fortune that with us agitation is unnecessary [But] if there should be any little changes required from time to time, in our limited political sphere, (and such occasions sometimes do, and always will occur in the progress of our growth)," Haliburton hastens to amend so comforting an assurance, and continues in utter disregard of the previous history of his province, "a temperate and proper representation will always produce them, from the predominant party of the day, whatever it may be, if it can only be demonstrated that they are wise or necessary changes." [25]

The advantages of the traditional dependence upon Great Britain were too valuable to be jeopardized by grievance mongering. The advent of steam power successfully applied to ocean navigation, as the *Great Western* had so wonderfully exemplified, was most opportune. The time had come when the ties of government and sentiment which already bound the colonies to the mother country must be strengthened by the additional tie of ex-

[23] *Ibid.*, 65. [24] *Ibid.*, 186. [25] *Ibid.*, 183.

tended commerce. And here was steam ready at hand to be used for the accomplishment of so much to be desired a purpose.

"Since the discovery of America by Columbus, nothing has occurred of so much importance to the New World, as navigating the Atlantic by steamers; and no point of the continent is likely to be benefited by it in an equal degree with Nova Scotia, which is the nearest point of land to Europe, and must always possess the earliest intelligence from the Old World." [26]

The British government, with the same "unexampled kindness, untiring forbearance, and unbounded liberality" [26] that had always distinguished its treatment of the colonies, had but recently appropriated fifty-five thousand pounds to afford the Nova Scotians "a communication by steam" [26] with the homeland. Only an unreasonable dissatisfaction with the rule of a beneficent authority could deprive them of the advantages of such an arrangement. There had been no occasion in the past, least of all was there any at the moment, for political discontent.

"Oppressed we never have been — coerced we never will be. Every thing has been done, that is either just or reasonable, or liberal, for us. We have always been, and still continue to be, the most favoured people in the British empire.[27] Let us show ourselves worthy of such treatment, by exhibiting our gratitude, and sustain the reputation we have hitherto borne, of being the most tranquil and loyal Colony in North America. . . . Nova Scotia never was in so flourishing condition as it is at present. Its trade is enlarging, its agriculture improving, and its population increasing most rapidly, while the character of its merchants for honourable and upright dealing stands higher than that of any other community in the whole American continent." [28]

[26] *Ibid.*, 185.

[27] Note the characteristic inconsistency between this passage and the dedicatory letter to Lord John Russell quoted below, 304, 305.

[28] *Letter-Bag*, 186–188.

(There spoke the true Sam Slick!) Why, then, lose the blessings we have as well as those immediately promised through the improved means of ocean transit, by devoting our attention to petty politics and following the advice of unscrupulous party leaders, especially when

"the happiness of every country depends upon the character of its people, rather than the form of its government." [29] "Let us keep out of the vortex of political excitement, learn how to value the blessings we enjoy, and study how we can best promote the internal communications and develop the resources of our native land." [29]

If the full benefits of the closer connection with Great Britain which the munificence of Parliament had made certain were to be secured, Nova Scotia must be prepared to take advantage of the possibilities created. British generosity must be met with colonial enterprise. Public interest must be diverted from government to transportation. As a means to the double end he sought, Haliburton dangled before the eyes of his countrymen the vision so often seen by them since, and still, with all the elaborate expenditure authorized to bring it into actuality, as far from realization as when first glimpsed in 1840 — the vision of Halifax as the chief western terminal for trans-Atlantic freight and passenger traffic. "The time has now come," wrote Haliburton, and there is no reason to doubt the sincerity of his conviction, "when the American and colonial route of travelling must commence or terminate at Halifax." [29] The necessary first step to make his dream come true was, of course, the railroad from Halifax to Windsor, but it was to be a first step merely. Compared with the larger railway project he was now prepared to advocate, the local line was of decidedly slight impor-

[29] *Ibid.*, 188.

tance. "We owe it to New Brunswick and Canada," he wrote in concluding his plea for the further utilization of steam in the colonies, "to complete our portion of the great intercolonial road."[29] Thus within a twelvemonth did he recall, but with no sign of humility, the scornful words he had heaped upon Lord Durham's far-sighted suggestion for colonial intercommunication.[30]

In the Dedication of *The Letter-Bag,* which is addressed to Lord John Russell, Haliburton with no sense of impropriety presents himself before a Whig minister as a suppliant, but in an attitude that is more comic than humble. As to the favor desired, he is as frankly outspoken as Sam Slick had been in previously declaring his intention of importuning it for him,[31] unless the thin disguise of anonymous authorship may be regarded as an adequate blind to his identity.[32] "I have selected your Lordship, then, as my Maecenas," he admits, "solely on account of the very extensive patronage at your disposal. Your Lordship is a colonial minister, and I am a colonial author."[33] The proper inference to be drawn from such a connection is, therefore, self-evident. But Haliburton's implication is general as well as personal. In anticipation of the main burden of the third *Clockmaker,*[34] he directs Russell's attention to the fact that in the distribution of royal honors at the Queen's coronation the names of colonials were chiefly conspicuous by reason of their omissions from the list of recipients:

"I wish them all [*i.e.,* those who received honors] to understand, and you, too, my Lord, that the colonies not only did not obtain

[30] See above, 266.

[31] *Clockmaker,* second series, 321, 322. See above, 230.

[32] The title-page of *The Letter-Bag* carries the words "By the Author of 'The Sayings and Doings of Samuel Slick.' etc. etc."

[33] *Letter-Bag,* v. [34] See below, 311, 318–321.

their due share of notice, but were forgotten altogether, notwithstanding the thousands of brave and loyal people they contain. They were either overlooked, amidst the numerous preparations for that great event, or the cornucopia was exhausted, before the hand that held it out had reached half-way across the Atlantic. . . ."

And partly in sarcastic allusion to Russell's radical sympathies, and to the exploitation of the colonies for British official appointments, partly in patriotic boastfulness, he makes his claim for the recognition of the rights of colonists to preferment:

"What is the necessary qualification for advancement? Is it talent and industry? Try the paces and bottom of the colonists, my Lord, and you will find they are not wanting. Is it humbug? There are some most accomplished and precious humbugs in all the provinces; men who would do credit to any government, and understand every popular pulsation, and accelerate or retard its motion at will. Is it agitation? The state of Canada shows how successful we are in the exercise of that laudable vocation. Is it maintaining the honours of the national flag? The most brilliant naval achievement of the American war; the first that occurred after a series of defeats; and the last of the same gallant style, was the act of a colonist; and the Chesapeake was conducted into the harbour of Halifax by a native of the town. . . .[35] We afford a wide field for the patronage of our more fortunate brethren at home; and Governors, Admirals, Commissioners, and Secretaries, are first promoted over us, and then rewarded with further promotion for the meritorious advance of a five years' exile among the barbarians.

Like a good shepherd, my Lord, open the gates, and let down the bars, and permit us to crop some of our own pastures, that good food may thicken our fleeces and cover our ribs; for the moanings and bleating of the flock, as they stretch their heads over the fence that excludes them, and regard with longing looks the rich herbage, is very touching, I assure you. . . . Such a step would confer great honour on Your Lordship, and do me justice. Having committed so great an error as to omit the colonists, on that joy-

[35] See above, 36.

ous occasion [the coronation], as if they were aliens, it would show great magnanimity to acknowledge it now, and make reparation." [36]

The first *Clockmaker,* as we have seen, was an effort on Haliburton's part to ridicule the Nova Scotians into exerting themselves in their own behalf. Naturally it was his own people that came in for most of the "curryin'," though the Yankees and Britishers were not neglected. By the time the second *Clockmaker* was written it was apparent that the Bluenoses meant to begin their advised reformation by improving their government. In order to draw their minds off what he regarded as a dangerous model, Haliburton attempted, therefore, to point out the inferiorities and weaknesses of the republican institutions of the United States in comparison with the colonial system as then administered. As a consequence, in the second series there was a proportionate increase in derision at the expense of the Americans. In the last of the *Clockmaker* series his appeal was made no longer to the Nova Scotians, who were evidently not to be reasoned, or joked, with in their drive towards responsible government, but direct to the Colonial Office in an attempt to save them from their own folly by stoppage at the source. What they wanted, in Haliburton's opinion, was precisely what they ought not to have; he would, therefore, tell the colonial authorities not to give it to them. But there was a message for the Nova Scotians, and the other colonists, in the third *Clockmaker,* too, although an indirect one. In effect it was the assurance that the colonial machine was perfect, — though badly in need of a new set of operatives. Since the pretext upon which Haliburton undertook to instruct the Colonial Office was the proverbial ignorance of the English official class and public generally in all matters

[36] *Letter-Bag,* viii–x.

relative to the colonies, the last *Clockmaker* had rather more of sharp and pointed comment regarding the British than the others. It was Sam Slick, of course, who suggested and directed this shift in satirical emphasis:

". . . You have made the Yankees and Bluenoses, squire, look pretty considerable foolish in them are two books of yourn. Stand on t'other tack now, and take a rise out of the British; for fair play is a jewel, that's a fact. John Bull had [has?] been a'larfin' at us until his sides heaves like a broken-winded horse: clap the curry-comb on him now, and see if his hide is thicker than ourn; for he is always a-sayin' that the Yankees are the most thin-skinned people in the world. There is a grand field in that country, you may depend, and a noble harvest for you. Walk right into 'em with your sickle, and cut and bind till you are tired; you will find employment enough I tell you. We may have our weak points, and I should like to know who the plague hain't; but John has both his weak spots and softs spots too, and I'll pint 'em out to you, so that you can give him a sly poke that will make him run foul of a consternation afore he knows it. I'll show you how to settle his coffee for him without a fish-skin, I know; so begin as soon as you can, and as much sooner as you have a mind to." [37]

Yet in spite of the increased attention to the British in the final *Clockmaker* series, what Sam Slick advised the Squire to tell the Secretary of State for the Colonies about the first of the three applies with equal aptness to them all:

"It gives the Yankees a considerable of a hacklin', and that ought to please *you:* it shampoos the English, and ought to please the *Yankees:* and it does make a proper fool of Blue-nose, and that ought to please you *both,* because it shows it's a considerable of an impartial work." [38]

The third *Clockmaker* was not less "impartial" in this respect than the rest.

[37] *The Clockmaker,* third series, 55, 56. The references are to the first edition.

[38] *Clockmaker,* second series, 319.

The book opens with what a recent competent critic has pronounced Haliburton's finest essay in serious prose,[39] a chapter entitled "The Duke of Kent's Lodge." Inspired by the contemplation of the desolate ruins of what was once the residence of Her Majesty Queen Victoria's father when in command of the military forces at Halifax, it has long been cherished as one of the few evidences of what Haliburton might have done in other fields of literature than those of humorous political satire had his talents not been deflected for the most part into the byways of party service. It is, to be sure, somewhat too thoroughly tinged, not to say infected, with the "moralising musings" and "pleasurable sensations of melancholy," in which Haliburton was increasingly prone to indulge himself as he grew older, to suit most present-day tastes, but regarded as a provincial production of a time when writing as a fine art in the British colonies was still in its infancy, it must be considered as a creditable example of the graveyard school of composition, in which its author's literary inclinations received whatever early training they had. The following passages will prove sufficient for an adequate appraisal of its quality:

"A modern wooden ruin is of itself the least interesting, and at the same time the most depressing, object imaginable. The massive structures of antiquity that are everywhere to be met with in Europe, exhibit the remains of great strength, and, though injured and defaced by the slow and almost imperceptible agency of time, promise to continue thus mutilated for ages to come. They awaken the images of departed generations, and are sanctified by legend and by tale. But a wooden ruin shows rank and rapid decay, concentrates its interest on one family, or one man, and resembles a mangled corpse, rather than the monument that covers it. It has no historical importance, no ancestral record.

[39] Archibald MacMechan, "Spring in Ultima Thule," *The Nation,* CVI, 344.

It awakens not the imagination. The poet finds no inspiration in it, and the antiquary no interest. It speaks only of death and decay, of recent calamity, and vegetable decomposition. The very air about it is close, dank, and unwholesome. It has no grace, no strength, no beauty, but looks deformed, gross, and repulsive. Even the faded colour of a painted wooden house, the tarnished gilding of its decorations, the corroded iron of its fastenings, and its crumbling materials, all indicate recent use and temporary habitation. It is but a short time since this mansion was tenanted by its royal master, and in that brief space how great has been the devastation of the elements!

A few years more, and all traces of it will have disappeared forever. The very site will soon become a matter of doubt. The forest is fast reclaiming its own, and the lawns and ornamented gardens, annually sown with seeds scattered by the winds from the surrounding woods, are relapsing into a state of nature, and exhibiting in detached patches a young growth of such trees as are common to the country. . . .

The contemplation of this deserted house is not without its beneficial effect on the mind; for it inculcates humility to the rich and resignation to the poor. However elevated man may be, there is much in his condition that reminds him of the inferiorities of his nature, and reconciles him to the decrees of Providence. 'May it please your Majesty,' said Euclid to his royal pupil, 'there is no royal road to science. You must travel in the same path with others, if you would attain the same end.' These forsaken grounds teach us in similar terms this consolatory truth, that there is no exclusive way to happiness reserved even for those of the most exalted rank. The smiles of fortune are capricious, and sunshine and shade are unequally distributed; but though the surface of life is thus diversified, the end is uniform to all, and invariably terminates in the grave.

> 'Pallida mors aequo pulsat pede pauperum tabernas
> Regumque turres!'

Ruins like death, of which they are at once the emblem and the evidence, are apt to lose their effect from their frequency. The mind becomes accustomed to them, and the moral is lost. The picturesque alone remains predominant, and criticism supplies the place of reflection. But this is the only ruin of any extent in Nova Scotia, and the only spot either associated with royalty, or

set apart and consecrated to solitude and decay. The stranger pauses at a sight so unusual, and inquires the cause; he learns with surprise that this place was devoted exclusively to pleasure; that care and sorrow never entered here; and that the voice of mirth and music was alone heard within its gates. It was the temporary abode of a prince, — of one, too, had he lived, that would have inherited the first and fairest empire in the world. All that men can give or rank enjoy awaited him; but an overruling and inscrutable Providence decreed, at the very time when his succession seemed most certain, that the sceptre should pass into the hands of another. This intelligence interests and excites his feelings. He enters, and hears at every step the voice of nature proclaiming the doom that awaits alike the prince and the peasant. The desolation he sees appals him. The swallow nestles in the empty chamber, and the sheep find a noon-day shelter in the banqueting-room, while the ill-omened bat rejoices in the dampness of the mouldering ruins. Everything recalls a recollection of the dead, every spot has its record of the past; every path its foot-step, every tree its legend; and even the unusual silence that reigns here has an awful eloquence that overpowers the heart. Death is written everywhere. Sad and dejected he turns and seeks some little relic, some small memorial of his deceased prince, and a solitary, neglected garden-flower, struggling for existence among the rank grasses, presents a fitting type of the brief existence and transitory nature of all around him. As he gathers it he pays the silent but touching tribute of a votive tear to the memory of him who has departed, and leaves the place with a mind softened and subdued, but improved and purified, by what he has seen." [40]

Such a show of sentimental feeling over the decayed grandeur of a once royal dwelling-place may seem surprising in one who had found so little to inspire his muse in the course of his journey up the Rhine.[41] But the explanation of the different reactions to melancholy and ruin is easy. In neither case was Haliburton wholly disinterested in expressing his mood. When occasion demanded

[40] *Clockmaker*, third series, 5–10.

[41] See above, 294, 295.

that the possibilities of colonial commerce be made evident, it was necessary that, compared with the St. John, the Rhine should appear a river of negligible interest. And when it was important to solicit for the colonies the generous notice of Her Majesty's colonial minister, "Who has other objects in view than the security of place and the interests of a party"[42] what could be more likely to accomplish the desired result than to exhibit the regret which the "affectionate remembrance" of Her Majesty's father awakened in the heart of a loyal colonist gazing upon the neglect of his Highness's former habitation? Was not the Duke of Kent the "patron, benefactor, and friend" of Nova Scotia? "To be a Nova Scotian was of itself a sufficient passport to his notice, and to possess merit a sufficient guarantee of his favour." Surely, then, the hope of the "faithful people of Nova Scotia" that Her Majesty, "following this paternal example, will be pleased to extend to them [through her Colonial Secretary, of course] a patronage that courtiers cannot, and statesmen will not give"[43] was not wholly outside the bounds of propriety, nor those of conceivable fulfillment either. The old Loyalist bequest to Nova Scotia, the curse of proud dependence upon Great Britain, died hard. If Haliburton's parade of patriotic emotion looks excessive, it was regulated strictly according to need!

The advice which Haliburton had to offer in the third *Clockmaker* for the benefit of the Colonial Office was delivered in the form of a diagnosis of the colonial disease and a prescription for its cure. The underlying cause of the complaint was British ignorance of and indifference to the commercial value of the colonies, which had led to their neglect, and this, in turn, to political discontent, finally

[42] *Clockmaker*, third series, 10.
[43] *Ibid.*, 11, 12.

aggravated into chronic seriousness by the recommendations of Lord Durham's *Report*. "John Bull has got a'most a grand estate in these colonies, and a'most excellent market too, and don't know nothing about either — fact, I assure you,"[44] said Sam Slick, and to prove it launched into his most famous no-stops-to-take-breath demonstration of the extent to which English-made goods were consumed by the colonists, which for an unending avalanche of facts surpasses any other rhodomontade in the whole course of Yankee pedlar long-windedness. The life history of the "woppin, great, big, two fisted critter" called Bluenose, "more nor six feet high in his stocking feet, . . . strong as a horse, and supple as an eel,"[44] was one long continuous process of purchase to the profit of English manufacturers, from the time "they wash the young screech owl in an English bowl; wrap him up in English flannel, and fasten it with English pins,"[45] until

> "he is dressed in an English shroud, and screwed down with English screws into his coffin, that is covered with English cloth, and has a plate on it of English ware. . . . The minister claps on an English gown, reads the English service out of an English book, and the grave is filled up again with earth shovelled in with an English shovel, while every man, woman, and child that bears his name pulls out an English handkerchief, to wipe their eyes and blow their noses with, and buy as much English black cloth, crape, and what not, as would freight a vessel a'most. . . . His children run the same rig round the same course, till they end by being packed up in a snug pill-box in the same graveyard. And yet, John Bull says, colonies are no good. Why the man is a drivelin', snivilin', divelin' idiot, an everlastin' born fool, that's a fact."[46]

As for the discontent of the colonies, Haliburton warned the Colonial Office that it was merely selfishness and treachery on the part of an ambitious few masquerading

[44] *Ibid.*, 76. [45] *Ibid.*, 77. [46] *Ibid.*, 82.

under the guise of patriotism, which the stupidity of the English officials seemed unable to penetrate. "Patriotism and the worst species of crime have become synonymous," he declared, and according to Sam Slick the old motto, "Dulce est pro patria mori," had acquired a new and popular significance in those days of "movement:" "mori," the more I get, "pro patria," by the country, "dulce est," the sweeter it is.[47] Among the noisy doctrines of "them chaps, patriots, Durhamites and arsondaries, and what not to Canady,"[48] a colonial minister could only be hopelessly confused. As for Lord John Russell, "Do you think he could tell now, or any other British minister that ever stood in shoe-leather . . . how many kinds of patriots there are in the colonies? No, not he." But Sam Slick could inform him:

"There are just five. Rebel patriots, mahogany patriots, place patriots, spooney patriots, and real genuine patriots. Now to govern a colony, a man ought to know these critters at first sight. . . . *A rebel patriot* is a gentleman that talks better than he fights. Hante got much property in a gineral way, and hopes to grab a little in the universal scramble. He starts on his own hook, looks to his rifle for his support, and shoots his own game. If he got his due, he would get a gallows for his reward. — *A mahogany patriot* is a critter that rides like a beggar a-horseback: you'll know him by his gait. As soon as he begins to get on a bit in the world, he is envious of all them that's above him, and if he can't get his legs under the mahogany of his betters, is for takin' his betters' mahogany away from them. To skin his pride over and salve his vanity, he says he is excluded on account of his politicks and patriotism, a martyr of his vartue. This chap mistakes impedence for independence, and abuse for manliness, he is jist about a little the dirtiest and nastiest bird of the whole flock of patriots. This feller should be sarved out in his own way, he should stand in the pillory and be pelted with rotten eggs. — *A spooney patriot* is a well-meanin', silly Billy, who

[47] *Ibid.*, 89. [48] *Ibid.*, 127.

thinks the world can be reduced to squares like a draft-board, and governed by systems; who talks about reforms, codifyin', progression, school-masters abroad, liberality, responsibility, and pack of party catch-words that he don't know the meaning of. This chap is a fool and ought to go to the infarmry. — *A place patriot* is a rogue; he panders to popular prejudice, appeals to the passions of the mob, and tries to set them agin' their richer neighbours, and attempts to ride on their shoulders into the government, and to secure place will sacrifice everything that is valuable, and good, and respectable. He is a philosopher in his religion, and a rascal in his philosophy. He is wilful, and acts against his conviction. This man is the loudest and most dangerous of all, and should go to the workhouse. — *The true patriot* is one who is neither a sycophant to the Government nor a tyrant to the people, but one who will manfully oppose either when they are wrong, who regards what's right . . . and not what is popular, who supports existin' institutions as a whole, but is willin' to mend or repair any part that is defective."[49]

By the same token there were things for the Colonial Office to learn about colonial Tories, who "are about the best folks goin', to my mind, to trade with, and the nearest up to the notch."[50] Haliburton was still loud in his denunciation of ultras of either side,[51] however, and equally loud in his insistence that the safety of the country lay in the hands of the moderates. Of the Tories there were three sorts, two of them to be repudiated:

"*Whole hogs,* who won't hear of no change, good or bad, right or wrong, at no rate. These critters are of the donkey breed. They stick their head into the fence, and lash away with their heels right and left, till all is blue agin. — *Fashionable ones,* who don't care much about politics, but join that side because the upper-crust folks and bettermost people are that way of thinkin': jackdaw birds, that borrow feathers to strut in. If the great men or the governor was a radical, these critters would be radical too.

[49] *Ibid.,* 187–189.
[50] *Ibid.,* 190.
[51] See also *The Letter-Bag,* 65, 66.

They take their colour from the object they look up to. Then there is the *moderate ones:* now extremes meet, and a moderate colonial compact chap and a true patriot are so near alike it would puzzle a Philadelphia lawyer to tell 'em apart. . . . Now if I was John Russell . . . I'd jist slip off on the sly to the provinces without sayin' of a word, and travel as plain Mr. Russell . . . and jist take the soundin's of these folks myself. He'd hear the truth then, for some patriot folks say *one thing to a governor* and *another to the world.* He'd know, too, when influence was *character,* or when it was *trick.*" [52]

But it was not actually necessary for Lord John Russell to visit the colonies to find out what method of administration should be used to control them. Sam Slick could set him right on that point instanter. If he were colonial minister for just one month, he "could put his highness Lord Sir John Russell up to a thing or two he don't know, that's a fact." [53]

"The way I'd show him how to handle the ribbons ain't no matter, I know. I'd larn him how to set on the box, how to hold the whip atween his teeth, and to yawk the reins with both hands, so as to make each hoss in the team feel he had a master that was none o' the scariest, and that wouldn't put up with no nonsense. A cross-grained, ongainly crittur wouldn't frighten me by layin' down and refusin' to draw, I tell you. I'd jist start the rest of the cattle into a handsome lope, and give him a drag over the gravel till I scratched his hide for him a considerable sum, and see how double quick he'd get tired of that fun, up on his pegs, and go as quiet as a lamb. Lord, I'd come down on him like a duck on a June bug; I'd make him wake snakes and walk his chalks, as the western folks say, I know . . . a steady arm and a light hand is what is wanted, not givin' them their head one minit, and curbin' them the next, and most throwin' 'em down. That's no way to drive, but jist the way to spile their temper; but bein' afeard on 'em is the devil, it ruins 'em right off. Oh, dear! if I was only alongside Lord Sir John in the state-box, I'd teach him in six lessons so that he could manage them by whisperin'; but you might

[52] *Clockmaker,* third series, 190, 191. [53] *Ibid.,* 187.

as well whistle jigs to a milestone as to an Englishman, they are so infarnal sot in their ways." [54]

To concede to the colonies what Lord Durham had recommended would be to continue the mistaken policy of vacillation. Union in the colonies was indeed desirable but not the legislative union of Lord Durham's *Report,* " for that would only open new sources of strife, and end in your losin' 'm body and breeches." [55] And responsible government, too, was indispensable — of a kind that would mean " the responsibility of crime to law, and of offenders to justice." [56] " Men who rebel, and commit murder and arson," Sam Slick is reported as saying to the British parliamentarian who desired his confidence, " ought to be held *responsible* for it, or you might as well be without any law at all, unless you like Lynch law best. Wherever you see loyalty, encourage it; and disloyalty, discourage it. Whatever changes are right, make them, and then tell them, now, that's the form that's settled; . . ." [55] Responsible government for the colonies " would place the governors in subjection to be governed." [57] Concessions to democracy were already the cause of " chartism and socialism in England, secret associations in Ireland, rebellion in your Provinces, and agitation everywhere," [58] and " the leaders of all these teams are runnin' wild because the reins are held too loose, and because they think the state-coachmen are afeard on 'em." [57] For the Colonial Office to disregard

[54] *Ibid.,* 181, 182.
[55] *Ibid.,* 69.
[56] *Ibid.,* 70.
[57] *Ibid.,* 277.
[58] *Ibid.,* 277. Haliburton would include the Democrats of the United States, as opposed to the Federalists, in the same category of undesirables. See *Clockmaker,* third series, 240, 241.

so obvious a lesson would be more than loosening the hoops of empire then so badly in need of tightening; it would be "stavin' in the cask." [59]

Allied with the evils of political unrest in the colonies were the dangers of religious infidelity resulting from the divorce of church and state, and the demand for liberality in worship that accompanied the desire for greater democracy in government. "When reformers talk of religious freedom as a popular topic, depend upon it they mean to dispense with religion altogether," was the opinion of the Rev. Mr. Hopewell, whom Haliburton in the last *Clockmaker* began to introduce more prominently in the rôle in which he was later for a time to largely supplant Sam Slick as a commentator on the more serious aspects of contemporary social problems in Great Britain and the colonies. It was the Rev. Mr. Hopewell, too, who, by means of the roundabout process of deploring the effects of disregarding "General" Washington's advice and following that of "them are good-for-nothin' philosophers, Jefferson, Franklin, and them new-school people, that fixed our [American] constitution, an' forgot to make Christianity the cornerstone," [60] pronounced condemnation on Lord Durham's proposal to secularize the Canadian Clergy Reserves, and made an impassioned plea for the retention of an established church in the colonies, preferably, of course, the Church of England. As the chances of the Anglican Church retaining its favored position in the British provinces disappeared, Haliburton became more and more emphatic that the "voluntary principle" anywhere must result in moral disaster. In the United States the particular menace he foresaw was the spread of popery [61] permitted by the absence of a united protestantism to resist it.

[59] *Ibid.*, 276. [60] *Ibid.*, 254. [61] *Ibid.*, 254. See also below, 522.

For the relief of all colonial ills Haliburton claimed there was needed but a single remedy, that for which he had at first hinted and then asked openly — colonial patronage for colonials. Utilizing once more the services of the Rev. Mr. Hopewell, who is represented as intimately acquainted with the circumstances preceding the American Revolution, he reanalyses the cause of the current unrest in the Canadas and the other provinces, and finds it identical with that which led to the loss of the American colonies, a complete and general indifference to both the value and the interests of colonial dependencies, marked by especial neglect in the matter of official appointments. Replace the poorly qualified British operatives of the colonial machine by colonials born and bred, men trained in the colonies, and alive to the wants and conditions prevalent there, and there would be no further cause for complaints of its working inefficiently or for desiring to run it out of gear with the Imperial governing system, said Haliburton in concluding his earliest prolonged admonition to the Colonial Office. In so far as his diagnosis revealed the fact that the colonists were everywhere eager to secure the control of their own affairs for themselves he was right, but he was wrong in supposing that the remedy he proposed could effect a cure, administered, as he intended it to be, by a method that would surely concentrate whatever additional power might be granted in the hands of an irresponsible and favored few. Patronage without responsibility might satisfy the family-compact Tory groups in the provinces, but by enlarging the too extensive control of public business they already held, it could only aggravate the discontent of their political antagonists, the reformers. Given the responsibility, however, which the reformers demanded, all classes would be obliged to abandon the patronage grievance in the open

competition for offices that would follow, the distribution of which would be determined at the will of the majority. To Imperial appointments, also, responsible government was the shortest cut, since it was only by demonstrating their ability to conduct their own affairs that the colonials could hope to be admitted to partnership in the management of the larger concerns of the Empire. This last was a point which Haliburton eventually brought himself to accept, but his *Clockmaker* arguments were solely for admitting colonials to Imperial status before they had been trained in the performance of duties of any but purely local significance. What most seriously weakened the request implicit in his statement concerning the grounds for the persistent agitation in the colonies, then, was the fact that while it had the appearance of being made in behalf of greater colonial self-sufficiency, it really asked for a continuance of traditional subordination under a new form, since the colonists would still be dependent upon British favor for office. Then, too, it was palpably self-interested, though the statement itself, here quoted, had the merit of unmistakable directness in its impeachment of Colonial Office ignorance:

"The restlessness in the colonies proceeds not from grievances, for, with the exception of a total absence of patronage, they do not exist; but it is caused by an uneasiness of position, arising from a want of room to move in. There is no field for ambition, no room for the exercise of distinguished talent in the provinces. The colonists, when comparing their situation with that of their more fortunate brethren in England, find all honor monopolised at home, and employment, preferments, and titles liberally bestowed on men frequently inferior in intellect and ability to themselves, and this invidious distinction sinks deeper into the heart than they are willing to acknowledge themselves. Men seldom avow the real motives of their actions. . . . Grievances are convenient masks under which to hide our real objects. The great question then is, what induces men in the provinces to resort to them as pre-

texts. The cause now, as in 1777, is the absence of all patronage, the impossibility there is for talent to rise — want of room — of that employment that is required for ability of a certain description; at least, this is the cause with those who have the power to influence, — to lead — to direct public opinion. I allude only to these men, for the leaders are the workmen and the multitude their tools. It is difficult to make an Englishman comprehend this. Our successful rebellion, one would have supposed, would not easily have been forgotten; but, unfortunately, it was a lesson not at all understood.

. . . Statesmen have always been prone to consider the colonies as a field reserved for the support of their dependents, and they are, unfortunately, so distant from the parent state that the rays of royal favour do not easily penetrate so far. Noisy applicants, mercenary voters, and importunate suitors at home, engross the attention and monopolise the favour of those in power, and provincial merit is left to languish for want of encouragement. The provincials hear of coronation honours, of flattering distinctions, and of marks of royal favour; but, alas! they participate not in them. A few of the petty local offices, which they pay themselves out of their little revenue, have long since been held their due, and within these few years, I hear the reformers have generously promised not to deprive them of this valuable patronage in any case where it is not required for others. Beyond this honourable parish rank no man can rise, and we look in vain for the name of a colonist, whatever his loyalty, his talent, or his services may be, out of the limits of his own country. The colonial clergy are excluded from the dignities of the Church of England, the lawyers from the preferments of the bar, and the medical men from practising out of their own country, while the professions in the colonies are open to all who migrate thither. The avenues to the army and navy, and all the departments of the imperial service are *practically* closed to them. Notwithstanding the intimate knowledge they possess on colonial subjects, who of their leading men are ever selected to govern other provinces? A captain in the navy, a colonel in the army, a London merchant, or an unprovided natural son, any person, in short, from whose previous education constitutional law has been wholly excluded, is thought better qualified, or more eligible, for these important duties than a colonist, while that department that manages and directs all these dependencies, seldom contains one individual that has ever been

out of Great Britain. A peerage generally awaits a Governor-General, but indifference or neglect rewards those through whose intelligence and ability he is alone enabled to discharge his duties. . . .

The consequence of this oversight or neglect, as our revolution and the late disturbances in Canada but too plainly evince, is, that ambition, disappointed of its legitimate exercise, is apt, in its despair to attempt the enlargement of its sphere by the use of the sword. . . . When loyalty, like chastity, is considered as it now is, to be its own great reward, and agitation is decorated with so many brilliant prizes, it is not to be wondered at if men constantly endeavour to persuade themselves that every refusal of a request is both an arbitrary and unjust exercise of power, that denial justifies resistance, and that resistance is a virtue. Instead of conceding to popular clamour changes that are dangerous, it is safer and wiser to give ambition a new direction, and to show that the government has the disposition to patronise, as well as the power to punish. . . . Grievances (except the unavowed one I have just mentioned, which is the prolific parent of all that bear the name of patriots,) fortunately do not exist; but ambitious men like hypochondriacs, when real evils are wanting, often supply their place with imaginary ones. Provincialism and nationality are different degrees of the same thing, and both take their rise in the same feeling, love of country, while no colony is so poor or so small as not to engender it. The public or distinguished men of a province are public property, and the people feel an interest in them in an inverse ratio, perhaps, to their own individual want of importance. To those who have the distribution of this patronage, it must be gratifying to know, then when this is the case, *an act of justice* will always appear an *act of grace*.[62]

Nearly as interesting, if not so important, as the politics of the third *Clockmaker* are the bits of recognizable personalia which occur throughout the book as in the case of *The Letter-Bag*, though more frequently. With the help of these scattered references of Haliburton's to himself, and with the exercise of a little imagination, one may follow the course of his itinerary pretty well over Great

[62] *Ibid.*, 265–272.

Britain, across the Atlantic to New York and homewards through Boston. In London we get glimpses of him at St. Paul's and Westminster Abbey,[63] in Dublin he evidently spent some time among the sights for the credulous,[64] and in Edinburgh he found what pleased him sufficiently to warrant his pronouncing it a finer town "nor" Boston.[65] Steam and the sumptuous (?)[66] appointments of the *Great Western* had stripped the ordeal of ocean-crossing for Haliburton "of all its discomforts and half its duration."[67] New York proved for him a city "alike distinguished for the beauty of its situation and the hospitality of its inhabitants,"[68] and Boston he waxed enthusiastic over for its far-famed Tremont House, and the various points of interest visited near by or in the city, the State House, Faneuil Hall, Bunker Hill, Harvard College, and Mount Auburn Cemetery.[69] But there is more to be seen of Haliburton in his last *Clockmaker* than is revealed in the reflections of his travels. It was himself, surely, and his own extravagant harangues in the Nova Scotian House of Assembly, that he had in mind in writing his absurdly amusing account of Sam Slick's premier appearance in the Connecticut House of Representatives, and of his farcical maiden speech there on extension of suffrage.[70] While both the commonly held belief that Haliburton escaped with "infinite relief"[71] from the ordeals of public life as a politician to the dignities of a judge on the bench, and

[63] *Ibid.*, 225.
[64] *Ibid.*, 93, 211.
[65] *Ibid.*, 211.
[66] See above, 293.
[67] *Clockmaker*, third series, 260.
[68] *Ibid.*, 296.
[69] *Ibid.*, 219ff.
[70] *Ibid.*, 17ff.
[71] R. G. Haliburton in *Haliburton: a Centenary Chaplet*. 21.

the less generally shared impression that he regarded with contempt the local legislature of his own province,[72] receive confirmation in Sam Slick's avowal that one of the three "rael tip-top" days of his life was when he discovered his mistake in being in politics as a popular representative, "ceased to be a member, and escaped out of the menagerie."[73] Another was when he found himself "publicly honoured in his native land,"[73] an experience in which Sam Slick must be identified with Haliburton on the occasion of the complimentary banquet tendered him at Halifax after his recent return from England. Describing as Sam Slick's what was really his own home-coming reception Haliburton has to say of that event:

"Nothing could exceed the kindness with which he was greeted by his countrymen. An invitation to a public dinner, presented by a deputation of the select men as a token of their approbation of his 'Sayings and Doings,'[74] was, however, so unexpected an honour on his part that his feelings nearly overpowered him. Perhaps it was fortunate that it had that effect, for it enabled him to make a suitable reply, which under any other circumstances, his exuberant spirits and extravagant phraseology would have disqualified him from doing. He said he was aware he owed this honour more to their personal regard for him than his own merits; but tho' he could not flatter himself that he was entitled to so gratifying a distinction, it should certainly stimulate him to endeavour to render himself so. In our subsequent travels he often referred to this voluntary tribute of regard and respect of his countrymen in terms of great satisfaction and pride."[75]

Most worthy of note, however, of all the material that makes the third *Clockmaker* interesting as a document of intimate self-revelation are those passages in which, by obvious disparagement of Joseph Howe and the policies

[72] See above, 85.

[73] *Clockmaker,* third series, 249.

[74] See above, 218, foot-note 7, the last sentence.

[75] *Clockmaker,* third series, 249.

he advocated, Haliburton disclosed the widening breach between himself and his one-time close friend. Out of the aspersions which Haliburton cast on Howe's party and principles in this book developed almost at once the long threatened personal quarrel between the two.[76] Howe himself, we know, recognized that he and those who thought with him were intended as the objects of the ridicule in such of Sam Slick's remarks as that about men making fools of themselves by "goin' to the house of representa*tives* without being fit for it" and by "Doin' big and talkin' big for three months in the year" while there.[77] Nor was there any question in his mind that it was he and his colleagues in the Assembly who were meant when Sam Slick affirmed that he

> "could point you out legislatures on this here continent where the speakin' is all kitchen talk, all strut, brag, and vulgar impedence. It's enough to make a cat sick to hear fellows talk of independence who are mortgaged over head and ears in debt, or listen to chaps jawin' about public vartue, temperance, education, and what not all day, who spend the night in a back room of a market tavern with the key turned, drinking hail-storm and bad rum, or playin' six penny loo."[78]

And he could hardly have failed to realize for whom was meant the gratuitous advice ". . . never consider what is *expedient;* but what is *right;* never study what will *tickle the ears of the people,* but what will *promote their welfare,*"[79] since it was coupled with the slur on the reformers' loyalty which he most bitterly resented, "*Patriotism is the trump card of a scoundrel.*"[80] Moreover the five classes

[76] See below, 395–410.

[77] *Clockmaker,* third series, 25, 26.

[78] *Ibid.,* 26.

[79] *Ibid.,* 28.

[80] *Ibid.,* 28. See also below, 405. The reformers of Nova Scotia were sneeringly termed "patriots" by the Tories.

of colonial "patriots" which Haliburton designated[81] were defined so as to include Howe and his followers in any one of the groups except the "real genu*ine*." And it was plainly Howe's supposed ambition that Haliburton hinted at in his ironical directions as to how to get on in the colonies:

"Agitate the country; swear the Church is a-goin' to levy tithes, or dissenters to be taxed to support them, or that the Governor is a-goin' to have martial law. Call office-holders by the cant tarms of compact cliques and official gang, and they will have to gag you with a seat in the council, or somethin' or another, see if they don't."[82]

Finally, Haliburton roundly denounced two measures for which Howe had been agitating since 1838,[83] one for combining the offices of excise and customs collectors for the sake of economy, and the other for enlarging the number of free-ports in Nova Scotia in order to promote an increased import and export trade. Of the first Haliburton asserted it would but serve to stimulate the already too common practice of smuggling American-made goods into the province, and the second he claimed would throw the coastwise freighting business back into the hands of the Yankee skippers from whom it was just beginning to be wrested.[84] Haliburton's resistance was too late, however. Before the third *Clockmaker* appeared, the request for both measures, after having been for a time evaded by the Imperial government, was approved and granted.[85]

[81] See above, 313, 314.
[82] *Clockmaker,* third series, 104.
[83] Howe, *Speeches and Letters,* I, 178, 179.
[84] *Clockmaker,* third series, 150–159.
[85] Howe, *Speeches and Public Letters,* I, 191, 221.

CHAPTER XIII

THE GEN-U-INE YANKEE

Although the interest and importance of Sam Slick's teachings in *The Clockmaker* and its successors as revelations of the conditions once prevailing in Nova Scotia's society and government were both recognized and appreciated by Haliburton's contemporaries,[1] it was unquestionably not Sam Slick the political philosopher, but Sam Slick the comic Yankee that gave to his "Sayings and Doings" the surprising vogue they formerly enjoyed, and which has since led to their frequent reappearance in print. Sam Slick was intended to be, and to a great extent actually was, the epitome and embodiment of a long current conception of the typical New Englander. And he was a great deal more besides. Just when the general tradition of which he was the most amusing representative had its inception it is not easy to discover, but certainly it was comparatively early in the development of popular opinions about the Yankees, and like that term itself it soon ceased to be strictly delimited to the native "down-easters." From a time near its beginning, too, it seems to have been commonly connected with the class of shrewd itinerant tradesmen who eventually came to personify it, and from its origin to have been generally localized in Sam Slick's own home state of Connecticut, long famed for its sharp bargaining and ingenuity as well as for its "geese, galls, and onions." Concerning the commencement

[1] See C. R. Young, *On Colonial Literature, Science and Education*, I, 144, 145.

of the pedlar tradition proper to which Sam Slick more especially belonged by vocation we have definite and detailed information from no less an authoritative commentator on New England affairs than Timothy Dwight, the eighth president of Yale College, who not only recorded the economic and industrial facts that gave rise to the travelling salesman of Yankee "notions," and an explanation of the procedure and outfit by which he carried on his erratic calling, but also a statement that discloses how promptly and almost inevitably he acquired the reputation for doubtful honesty which he later bore without shame and even with unabashed professional pride.

"About the year 1740," wrote President Dwight in his faithfully compiled *Travels in New England and New York*,[2] "William Pattison, a native of Ireland, came to this country, and settled in this town [Berlin, Conn.]. His trade was that of a tinner; and soon after his arrival, he commenced manufacturing tinware, and continued in that business until the revolutionary war. He was then under the necessity of suspending it, as the raw material could not be obtained. After the war, this manufacture was carried on at Berlin, by those young men who had learned the art from Mr. Pattison; and these persons have since extended the business over a number of the neighbouring towns.

For many years, after tinned plates were manufactured in this place into culinary vessels, the only method used by the pedlar for conveying them to distant towns, for sale, was by means of a horse and two baskets, balanced on his back. After the war, carts and waggons were used for this purpose, and have, from that time to the present, been the only means of conveyance which have been adopted.

The manner in which this ware is disposed of, puts to flight all calculation. A young man is furnished by the proprietor with a horse, and a cart covered with a box, containing as many tin vessels as the horse can conveniently draw. This vehicle within a few years has, indeed, been frequently exchanged for a waggon; and then the load is doubled. Thus prepared, he sets out on an

[2] II, 53–55 (ed. of 1821).

expedition for the winter. A multitude of these young men direct themselves to the Southern States; and in their excursions travel wherever they can find settlements. Each of them walks, and rides, alternately, through this vast distance, till he reaches Richmond, Newbern, Charleston, or Savannah; and usually carries with him to the place of his destination no small part of the gain, which he has acquired upon the road. Here he finds one or more workmen, who have been sent forward to co-operate with him, furnished with a sufficient quantity of tinned plates to supply him with all the ware, which he can sell during the season. With this he wanders into the interior country; calls at every door on his way; and with an address, and pertinacity, not easily resisted, compels no small number of the inhabitants to buy. At the commencement of summer they return to New-York; and thence to New-Haven, by water; after selling their vehicles, and their horses. The original load of a single horse, as I am told, is rarely worth more than three hundred dollars; or of a waggon, more than six hundred. Yet this business is said to yield both the owner and his agent valuable returns; and the profit to be greater than that, which is made by the sale of any other merchandise of equal value. Even those, who carry out a single load, and dispose of it in the neighbouring country, find their employment profitable. . . .

Every inhabited part of the United States is visited by these men. I have seen them on the peninsula of Cape Cod, and in the neighbourhood of Lake Erie; distant from each other more than six hundred miles. They make their way to Detroit, four hundred miles further; to Canada; to Kentucky; and, if I mistake not, to New-Orleans and St. Louis.

All the evils, which are attendant upon the bartering of small wares, are incident to this, and every other mode of traffic of the same general nature. Many of the young men, employed in this business, part, at an early period with both modesty, and principle. Their sobriety is exchanged for cunning, their honesty for imposition; and their decent behavior for coarse impudence. Mere wanderers, accustomed to no order, control, or worship; and directed solely to the acquisition of petty gains; they soon fasten upon this object; and forget every other, of a superior nature. The only source of their pleasure or their reputation is gain; and that, however small, or however acquired, secures both. No course of life tends more rapidly, or more effectually, to eradicate every moral feeling.

Berlin has, I suspect, suffered not a little from this source. Were their manufactures sold, like other merchandize, the profits would undoubtedly be lessened: but the corruption of a considerable number of human beings would be prevented."

A foot-note addendum furnishes still other information which brings this description of Yankee peddling well down to the time at which Sam Slick launched his wooden clock speculations among the Bluenoses:

"The business of selling tin ware, has within a few years undergone a considerable change. Formerly the pedlar's load was composed exclusively of this manufacture: now he has an assortment of merchandize to offer to his customers. He carries pins, needles, scissors, combs, coat and vest buttons, with many other trifling articles of hardware; and children's books, and cotton stuffs made in New-England. A number set out with large waggons loaded with dry goods, hats and shoes; together with tin ware, and the smaller articles already mentioned. These loads will frequently cost the proprietor from one to two thousand dollars; and are intended exclusively for the Southern and Western states.

It is frequently the fact, that from twenty to thirty persons are employed by a single house, in the manufacturing and selling of tin ware and other articles. The workmen, furnished with a sufficient quantity of the raw materials to employ them for six months, are sent on by water, in the autumn, to Virginia, North and South Carolina, or Georgia. They station themselves at some town in the interiour, where the employer, or his agent, has a store, well furnished with such articles as the pedlars require. As the stock of each pedlar is exhausted, he repairs to the store for a supply. In this way, a large amount of goods are vended during the six or eight months they are absent.

Some idea may be formed of the extent to which this business is sometimes carried, from the fact, that immediately after the late war with Great Britain, which terminated in 1815, ten thousand boxes of tinned plates were manufactured into culinary vessels in the town of Berlin, in one year."

Though tinware appears to have been the first, and always the favorite, among the unlimited variety of easily

transportable articles offered for sale by the travelling venders of New England, the wooden time-pieces which were at once Sam Slick's staple and specialty, were before long regularly included in the assortment of "notions" which usually made up the Yankee pedlar's stock in trade. The year 1790 has been variously given as the date when the manufacture of wooden clocks was commenced in Connecticut,[3] fittingly enough, as one thinks nowadays, at Waterbury, and very shortly afterwards, it must have been, they began to be sold on the road, and from then on to share with tin-made goods the invidious distinction of being the occasion of more keen trickery and downright deception than any other New England commodity. Their quickly demonstrated superiority, coupled with the incredible cheapness of their production, permitted such enormous profits to be realized from their sale, that the widely current humorous yarns of Yankee roguery in disposing of them continued in circulation even after their high quality was everywhere admitted. The extraordinarily successful production of brass clocks in Connecticut later operated in exactly the same way to keep alive this convention of laughable stories. It is related, for instance, that the first cargo of brass clocks shipped from Connecticut to Great Britain was invoiced so low, though actually above cost, that the British Customs authorities suspecting fraud confiscated the shipment at the invoiced value. This thoroughly satisfactory conclusion of their venture so pleased the American exporters that they immediately despatched another shipment, which, as they hoped it would, met with the same treatment. A third shipment convinced the British Customs Office that it had gone into a business that had better be left in the hands of the

[3] Alexander Johnston, *Connecticut* (American Commonwealth Series), 359; Florence West, *Connecticut Magazine*, VII, 133.

Yankees, and thereafter Connecticut clocks were allowed to reach the British market without John Bull's attempting to act as intermediary between producer and consumer.

The discreditable reputation of which Timothy Dwight speaks as customarily attached to the members of the New England peddling fraternity in his day was not, to be sure, without its notable exceptions. Bronson Alcott, of Transcendentalist fame, was one, for example, who contrived to pursue the calling of a peregrinating Yankee "notion" vender even in the South, where the class came to be most cordially disliked and distrusted, without forfeiting the good-will and respect of those among whom he conducted his trading, though also without any great financial gain for himself.[4] But in the main the unenviable notoriety which Dwight regretfully ascribes to the whole order of Yankee pedlars was identical with that assigned to them throughout all sections of the United States and of the British American colonies as well, for the New England trader had not long confined himself to the South alone. The ideal field for his activities was wherever a scattered population rendered permanent storekeeping a precarious business, so that the frontier settlements and the thinner fringes of fixed society in any direction, and communities of no other kind, afforded him the opportunity he required. Thus he became an increasingly migratory type, not merely from the nature of his occupation, but because he found it necessary to travel ever farther and farther from the original base of his supplies, in order to keep up with the continual advance of the pioneers into the wildernesses of the West, the South-West, and the North. That he should have carried with him on his various journeys a name for business ability and enterprise is not to be wondered at, since the

[4] Sanborn and Harris, *A. Bronson Alcott,* I, 38ff.

New England people at large, from the time of their earliest settling in America, had been forced by the nature of their surroundings to identify themselves with commerce, and he would consequently have found it difficult to divorce himself from what was truly a sectional reputation, even if his own success in the "tradin' line" had not justified its application to him individually. But why the proverbial unqualified dishonesty of the travelling tinman and his fellows should have been in turn attributed to the New Englanders in general, irrespective of their employment, is not so readily to be understood — unless, as one is loath to believe, it had declared itself as a fully developed local trait before the pedlar class had ever come into existence. Whatever the reason, it is an undeniable fact that during the first half of the nineteenth century to the majority of observers of social phenomena in America — who, as a rule, were outsiders, it is to be remembered — the shifty merchant a-top his rattling tin-cart was always a Yankee, and every clever countryman from "down-east" was a person who would bear watching in a bargain. Nor was lack of dependability in the matter of a "deal" or a "swop" the only peculiarity of the Yankee pedlar which was widely regarded as common to all the rest of his kin. Indeed, he was popularly accepted as summing up and symbolizing in his eccentric person, to an extent that seems nothing short of absurd, the entire range of the "average" New Englander's distinctive characteristics. It is this largely inaccurate, yet thoroughly traditionalized, impression of the Yankee that is more completely, perhaps, than anywhere else reflected in Haliburton's Sam Slick.

Even a cursory examination of but a few of the numerous travel-books written on the United States between the years 1800 and 1835 will reveal every one of the

essential features of Sam Slick's Yankeeism many times repeated.[5] That Haliburton read the principal among these works we know for a certainty from his frequent allusions to them,[6] which is far from saying, however, that he borrowed the outlines of his famous character-

[5] See, for instance, Sir J. E. Alexander, *Transatlantic Sketches;* K. D. Arfvedson, *The United States and Canada;* Lieut. E. T. Coke, *A Subaltern's Furlough;* Estwick Evans, *A Pedestrian Tour. . . ;* J. M. Duncan, *Travels Through Part of the United States and Canada;* Fred F. De Roos, *Personal Narrative of Travels in the United States . . . ;* Timothy Flint, *Recollections of the Last Ten Years;* Francis Hall, *Travels in Canada and the United States . . . ;* Thomas Hamilton, *Men and Manners in America;* Adam Hodgson, *Remarks During a Journey in North America;* Charles F. Hoffman, *A Winter in the West;* C. W. Janson, *The Stranger in America;* A. Murat, *A Moral and Political Sketch of the United States . . . ;* Harriet Martineau, *Society in America;* C. J. Latrobe, *The Rambler in North America;* Hugh Murray, *Historical Account of Discoveries and Travels in North America;* Charles Sealsfield, *The United States as They Are;* Anne Royall, *The Black Book;* P. Stansbury, *Pedestrian Tour . . . ;* E. A. Talbot, *Five Years' Residence in the Canadas;* William Tudor, *Letter on the Eastern States;* Mrs. Trollope, *Domestic Manners of the Americans;* C. H. Wilson, *The Wanderer in America;* Patrick Sheriff, *A Tour Through North America;* Richard Weston, *The United States and Canada . . . ;* John McTaggart, *Three Years in Canada;* D. B. Warden, *Statistical, Political, and Historical Account of the United States . . . ; An Excursion Through the United States and Canada,* by an English Gentleman. See also a letter from William Wirt to his friend Judge Carr in J. P. Kennedy's *Memoirs of . . . William Wirt,* II, 237; Asa Greene's *Travels in America by George Fibbleton,* and *A Yankee Among the Nullifiers;* Catherine M. Sedgwick's *Redwood;* the files of the New York *Constellation,* a journal which Haliburton knew about and possibly read (see his *Traits of American Humour,* Introduction); and H. T. Tuckerman's *America and Her Commentators.*

[6] See *The Clockmaker,* first series, 58ff., second series, 3, 56ff., 58, 84ff., third series, 229, 300, 387; *The Attaché,* first series, I, 43, 96; *The Season Ticket,* 33.

study wholly from the records of others. Both the Yankee pedlar and the "wooden nutmeg" tradition were well enough known in Nova Scotia before Sam Slick made his appearance there to enable any reasonably observant Bluenose to became perfectly acquainted with each by simply keeping his eyes and ears open to the every-day life around him. And yet Sam Slick, including even his humorous aspects, is to a very large degree an example of compound portraiture, put together from books and newspapers.

According to the common testimony noted down, but not always subscribed to, by the continental visitors to the United States before Haliburton commenced his work as a satirist, and to that furnished by an occasional American traveller also, the conventional Yankee was born with an inherent love of barter, and made his way through life by the aid of constant figuring and calculation. Though pious enough in most outward respects, he was simply not to be trusted when it came to a question of trading. Full of fun and good nature, a trait belied by his somewhat sanctimonious countenance, fond of a mirthful song or a merry jest, an adept at banter and ingratiating talk, he had, in spite of his well known proclivities, a way of winning private confidence that usually left his customers poorer if seldom wiser. The man who could best him by fair means or foul in a game of chance or a speculation he had never encountered. His cunning methods in business or gambling were matched by his skill in ready inventiveness, and he was not backward about proclaiming his preëminence in both. He boasted inordinately about his race and his nation, and, what is more, was always able to back up his most extravagant assertions with the proof of fulfillment. He spoke through his nose, he drawled, and he mispronounced his words, but he was

quite convinced that his New England English was better than that habitually used in the British Isles. He was as able a sailor as he was a salesman, and as competent at school-mastering as at "fixin'" a machine. Like those of all other Americans — on the report of prejudiced eye-witnesses — his manners at table and elsewhere were execrable. He bolted his food, he helped himself regardless of the rights or needs of others, he put himself in awkward and ungainly postures. He expectorated with utter unconcern as to the location or direction of his target, and paid no attention to the risks run by those who inadvertently came within range of his saliva-barrage. He had frequent recourse to whittling and smoking as diversions to settle his nerves or his meals. He was insufferably curious and inquisitive, but singularly uncommunicative when it was his turn to be interrogated. Although he was not of a combative disposition, and was even charged with cowardice, his rights were not to be infringed upon with impunity, for when hard pressed he was invariably successful, by one artful dodge or another, in bringing about his persecutor's discomfiture.

In so far as Sam Slick's characteristics were merely those of the typical Yankee they corresponded almost item for item with those just enumerated. His chief delight was to drive a shrewd bargain, and to the end of his speculating career he prided himself on his self-supporting start in life as a peddling clock-maker. He had for the single aim of all his study of "human natur" to "go ahead" of the next fellow, and as the sole means of getting along in the world his mastery of the invaluable art of "cypherin'" and "calculatin'." Though he claimed that in all matters of fact he was "as true as a trivet," he was never at a loss to "scrouge" himself between the truth and a lie. He bragged and boasted of his country as

" the top-loftiest place in all creation," in season and out, and continually asseverated as indisputable truth that, " The British can whip all the world, and we can whip the British." He could sing and dance, and did both repeatedly and with evident glee, and he was ever the foremost in promoting a frolic or in perpetrating a practical joke. He was equally adroit at putting a " leak " into a conceited customer or at " soft sawdering " his way to the hearts of the Bluenose women. And he frankly admitted his possession of the knack " we Connecticut people have " of making fools of others. With entire disregard of his own perversions of the English language, he joined with his compatriots in declaring that they spoke it " complete," and better than the British. In his more contemplative moods he whittled vigorously and without care as to whose carpets he might be making untidy, and he smoked his unfailing supplies of " rael first chop Havannahs " when and where he pleased without ever consulting the preferences of his company as to his indulgence in the use of tobacco. He was never so comfortably settled for a " good talk " as when with his chair safely balanced on two legs he elevated his feet and rested them on any convenient mantlepiece or window-sill. If his manners in other respects were an improvement upon those generally credited to the Americans, it was only because he had learned a superior etiquette by closely watching his more refined patrons while peddling from house to house. Though he himself gave no display of the customary American prowess in expectoration, he must have been more than ordinarily familiar with the habit which chiefly brought his people into disrepute with finicky English travellers, since we have it on his own private confession that his father " chaws tobaccy like a turkey . . . and spits like an enjine." And though his conduct at table appears to

have been regularly above reproach, he knew all there was to be known, and told it too, about the American practice of rapacious gormandizing. He was absolutely at home in any kind of a craft that floats, from an Indian canoe to a transatlantic liner, and his technical information about Yankee fishing schooners and their routes and management should have entitled him to a pilot's license and a master mariner's certificate combined. Nothing in need of repair seems at any time to have "stumped" him to mend it. His sermonizing discourses among the Bluenoses are sufficient proof of his New England pedagogical tendencies. He was as clever as any other Connecticut "nat*ive*" in evading one question by asking another, and with all his loquacity he could keep his counsel to himself when to do so best served his purpose. And his wily trick of first "doin' simple" and then pretending to run away in order to lure an impertinent Bluenose on to a well-deserved "quilting"[7] was strictly in agreement with the long-headed fighting tactics to be expected of a "down-easter."

It is precisely Sam Slick's pugnacious qualities, however, that, altogether apart from his anti-democratic political bias previously pointed out,[8] show him to be something conspicuously different from a "real" Yankee. As long as he continued his clock-vending activities in Nova Scotia it is true that he conducted himself in accordance with the precept that discretion is the better part of valor. But his appearance later as an attaché of the United States legation in London[9] discloses his marked development towards another American regional character-type quite as clearly defined as the Yankee, and quite as popular, — the "ring-

[7] See *Clockmaker*, first series, 114ff.
[8] See above, 181.
[9] See below, 338.

tailed roarer" of the West, the stock presentation of the "bad" man who was always spoiling for trouble. It was a type with which Haliburton had evidently been fascinated from about the time he had first become interested in the stereotyped figure of the Yankee pedlar, and increasingly as he felt the need of varying the entertainment provided by the one, he introduced into his comic sketches features borrowed from the other. Especially is this intermingling of the two sets of local characteristics noticeable in the humorously lurid effects of Sam Slick's speech. Even in his earliest described meanderings about Nova Scotia his conversation betrayed his other than New England origin, as, for example, in this bit of pure Westernese applied to his speedy "critter," "Old Clay": "I can't help a thinkin sometimes the breed must have come from old Kentuck, *half horse, half alligator, with a cross of the airthquake.*" And the account of his meeting with one "Lucifer Wolfe," recorded in the third *Clockmaker*,[10] discovers his own, and Haliburton's, perfect familiarity with the model from which he was in great part drawn. Explain as he will the interchange of dialect phrases between the East and the West, Haliburton never succeeds in making Sam Slick's exaggerated "tall" talk convincing, much less his bellicose attitude, in one who pretends to be a Yankee. Such episodes as the ex-clockmaker's riotous celebration of his landing in Liverpool, England, after his appointment as an attaché, when he proceeded to "clean up" the Liner's Hotel, insulting the barmaid, knocking down the waiter, and worrying the chambermaid into hysterics, in the course of his hilarious enjoyment,[11] and his violently explosive attempt to work off his spleen over his father's advent in the old country by wantonly threaten-

[10] 146ff.

[11] *The Attaché*, first series, I, 110ff.

ing assault and battery on an innocent passer-by,[12] are merely crude imitations of escapades from the once popular "wild West" yarn. And Sam Slick's desire to be painted "natural," "in the back woods, with my huntin' coat on, my leggins, my cap, my belt, and my powder horn . . . with my talkin' iron in my hand, wipin' her, chargin' her, selectin' the bullet, placin' it in the greased wad, and rammin' it down,"[13] is but another indication of the same frontier influence emanating from the extensive Boone-Crockett cycle of improbable adventure tales. But perhaps the most convincing evidence that Sam Slick was no true Yankee is his self-vaunted dexterity in bare-back horsemanship, for if there was one accomplishment in "all creation" which a genuine New Englander could never master it was the art of riding, though at driving he could beat the "univarse." And yet Sam Slick was ushered into the world of letters astride "Old Clay," and most annoyingly at home there!

Assuredly unlimited as the resourcefulness and intrepidity of a combination Westerner and Yankee would have to be, it is doubtful if the two together suffice to account for the range and variety of Sam Slick's attainments and experiences. He had journeyed to the South Sea Islands. He had bought bargain "picturs" in Italy, and had outwitted the law in France. He had been well acquainted with England long before he was sent there in diplomatic capacity. He had gone whaling in the Pacific, and had stopped off at Java, where he witnessed the phlegmatic humors of Dutch colonial rule. He had peddled clocks "up Huron way," and had travelled all over his own "thirteen united universal worlds," and was a "citizen at large" in the Great Republic. He had been employed by the Governor

[12] *Ibid.*, second series, I, 50.
[13] *Ibid.*, first series, I, 89.

of Maine as a state courier to the British forces in New Brunswick. He had learned the secret of stupifying fish in Persia, how to poison an arrow in South America, and the method of building houses out of loam, "superior to bricks," in Germany. He had acquired German on a voyage to Calcutta, and had mastered French on the way back. He had engaged in the fur trade for the Astors in the North-West, and had made a small "spec" in Bermuda. He practised ventriloquism and phrenology, and used the former in taming a shrew and the latter in selling his clocks. He was an adept at all sorts of fishing, whether deep-sea, lake, or stream. He knew horses like a stockfancier, "tank, shank, and flank." He was a connoisseur of every American brand of strong drink, if his volubility in stringing-off such lists as, "white-nose, apple-jack, stone-wall, chain-lightning, rail-road, hail-storm, ginsling-talabogus, switchel-flip, gum-ticklers, phlem-cutters, juleps, skate-iron, cast-steel, [and] cock-tail," is any criterion of his tastes. He was familiar with different curious horticultural superstitions, and apparently believed in them. About the only things of which he ever pled ignorance was, "how the plague it is a squid can swim either end foremost, like a pinkey steamer, without having eyes in the starn also, or why it hasn't a bone at all, when a shad is chock full of 'em," and "why it can live five days out of water, when a herring dies slick off at onct." But he made up for this slight deficiency in his understanding of the mysteries of nature by his knowledge of "simples," by which he claimed to be able to effect a cure for dropsy, jaundice, ague, and "a hundred other" complaints. He had, as one of his admirers told him, "the eye of a lawyer, and the tongue of a minister." His skill as an artist extended from gilding clocks to painting portraits. "Once I drawed," he boasted, "a mutton chop so nateral, my dog

broke his teeth in tearing the panel to pieces to get at it, and at another time I painted a shingle so like a stone, when I threw it into the water, it sunk right kerlash to the bottom." He had an intimate knowledge of the North American Indians of reality, and a supreme contempt for the red-men of Cooper's novels. He had been brought up to farming, and had been used to gunning and trapping since boyhood. Of history and the Bible he knew his share. Gaelic he could speak slightly, having "kissed it up," as he said, in one of his many surreptitious love-makings. Latin he had essayed, and had come to heartily despise. Poetry was utterly beyond him, and all poets he professed to hate "lock, stock, and barrel." His progress in music and psalmody, however, was the source of much gratification — to himself. But it was especially at dancing that he "reckoned" he could "take the shine off most folks." "Many's the time," he declared, "I have danced 'Possum up a gum tree' at a quiltin' frolic or a huskin' party, with a tumbler full of cider on my head, and never spilt a drop; — I have upon my soul." And the steadiness of his footing was matched by the imperturbability of his nerve. "Lord!" he confided to his friend Lawyer Poker,[14] "a man that goes to Missarsippi like me, and can run an Alligator boat right head on to a Sawyer, high pressure engine, valve soldered down, three hundred passengers on board, and every soul in danger, ain't a coward. It takes a *man*, Squire, I tell you." In youth he could jump over three horses standing side by side, and when older was still "spry" enough to outrun any likely looking "gall" that would "darnt" him to a chase. From first to last he was an incorrigible liar and an irresistible flirt, and at the same time a persistent preacher of steadfast morality, and a vehement expostulator against cant and hypocrisy; and

[14] See below, 438.

he was as effective in the one mood as he was entertaining in the other. Which is to say that he was a tolerable success in spite of his irreconcilable inconsistencies and contradictions. He was, in short, as Haliburton put it, "quite a character," with "some humour, much anecdote, and great originality," though his endowment in the last of these gifts is something that has always been much overrated.

Apart from their emphatic phrasing, the greater proportion of Sam Slick's avowed opinions on his favorite and most frequently recurring theme, "things in general and men and women in particular," were neither typically Yankee nor typically western, but, like the majority of his conclusions on purely political matters, they were without doubt intended to be taken as accurate reflections of his originator's personal feelings and convictions. To believe otherwise is to turn Haliburton's reiterated assertions of the Clockmaker's wisdom into the merest nonsense. Moreover there is in existence at least a jocular affirmation on Haliburton's part that still further warrants the identification of his views with those expressed by Sam Slick. Responding to the request of one of his readers, Lewis I. Cist, Esq.,[15] asking for Sam Slick's autograph, he wrote as follows:

"I am Sam Slick says I, at least what is left of me."[16]
Tho. C. Haliburton.

Windsor, Nova Scotia,
1-Aug 1846

Sir—

I have the pleasure to acknowledge the receipt of your letter of the 1st May last including one for Mr. Slick and requesting me to use my influence with him to send you his autograph.

[15] A banker, amateur verse-writer, and indefatigable autograph collector of Cincinnati, Ohio.

[16] An oft-repeated expression of Sam Slick's.

Mr. Slick, is a good natured man, and like all his countrymen whom I have ever had the pleasure to know, remarkably obliging to strangers, and he sat down immediately and wrote for me at the top of the page what may serve your purpose.

I send it to you not that I think it worth having, but because I think a request that has caused some trouble to prefer, when it can be complied with so easily should not be refused —

I am sir
Your obt. ser.
Th. C. Haliburton.[17]

The recapitulation of the picaresque pedlar's observations on the multitudinous politically non-partisan subjects which he discussed would be a task almost as hopeless as futile, though perhaps it may be worth while to exemplify briefly the quality of his moods and dicta occasioned by his consideration of questions totally unrelated to colonial government and party politics, if only for the sake of comparison with what has already been amply illustrated.[18] Possibly these selections from the analogies he constantly drew between "hoss-flesh" and womenfolk will answer the purpose as well as anything else that might be chosen:

"Any man . . . that onderstands horses, has a pretty considerable fair knowledge of women, for they are jist alike in temper, and require the identical same treatment. *Incourage the timid ones, be gentle and steady with the fractious, and lather the sulky ones like blazes.*"[19]

". . . next to womankind there is nothin' so deceitful as horse-flesh that ever I seed yet. Both on 'em are apt to be spoiled in the breakin': both on 'em puzzle the best judges sometimes to tell their age when well vamped up, and it takes some time afore you find out all their tricks. Pedigree must be attended to in

[17] The Ford Collection, Manuscript Room, New York Public Library.

[18] See above, chapters nine, ten, and twelve.

[19] *The Clockmaker,* first series, 52, 53.

both cases, particularly on the mother's side, and both require good trainin', a steady hand and careful usage. Yes; both branches require great experience, and the most knowin' ones do get bit sometimes most beautiful." [20]

". . . women commonly are critters of a mixed character, in gineral more good than bad about 'em, by a long chalk (for men don't do 'em justice in talkin' of 'em), but spoiled like filleys in trainin'. The mouth is hard from being broke with too small a bit, or their temper ruined by being punished when they don't desarve it, or untrue by being put to work they can't stand, or ain't fitted by natur for. *There never was a good husband that warn't a good horseman*, for the natur of the critters is just alike. You must be gentle, kind, and patient, but you must be firm, and when there is a fight for mastery, just show 'em it's better not to act foolish. Unless a critter is too old, and too headstrong, it's a man's own fault if he can't manage to make 'em travel the road pleasantly." [21]

"Now, my idea of mating a man is, that it is the same as matching a horse; the mate ought to have the same spirit, the same action, the same temper, and the same training. Each should do his part, or else one soon becomes strained, sprained, and spavined, or broken winded, and that one is about the best in a general way that suffers the most . . . to my mind a splendiferous woman and a first-chop horse is the noblest works of creation. They take the rag off the bush quite; a woman 'that will come' and a horse that 'will go' ought to make any man happy." [22]

This additional passage, also on matrimonial happiness, is another fair sample of the same sort of Haliburton-Sam Slickian comment:

"Women, in a general way, don't look like the same critters when they are spliced, that they do before; matrimony, like sugar and water, has a nateral affinity for, and tendency to acidity. The clear, beautiful, bright sunshine of the wedding morning, is too apt to cloud over at twelve o'clock, and the afternoon to be cold, raw, and uncomfortable, or else the heat generates storms that

[20] *Ibid.*, third series, 237.
[21] *Wise Saws and Modern Instances*, I, 315.
[22] *Nature and Human Nature*, II, 277, 278.

fairly make the house shake, and the happy pair tremble again. Every body knows the real, solid grounds, which can alone make married life perfect. I should only prose if I was to state them, but I have an idea, as cheerfulness is a great ingredient, a good climate has a vast deal to do with it, for who can chirp in a bad one. . . . Barring such things as climate, over which we have no control, happiness, in my idea, consists in the mind, and not in the purse. These are plain common truths, and every body will tell you there is nothing new in them, just as if there was anything new under the sun but my wooden clocks, and yet they only say so because they can't deny them, for who acts as if he ever heard of them before. Now, if they do know them, why the plague don't they regulate their time-pieces by them. If they did, matrimony wouldn't make such an everlastin transmogrification of folks as it does, would it?" [23]

With Sam Slick thus obviously a composite figure made up of the diverse characteristics of two familiar regional types, of nondescript accomplishments and adventures, and of Haliburton's private beliefs in politics and every-day affairs in general, it would hardly seem possible that the Clockmaker could have been drawn from any living model. There is, nevertheless, in the *The Attaché* [24] the explicit statement by Haliburton himself that both Sam Slick and the Rev. Mr. Hopewell were creations sketched from actual life, and that those who know the persons who had sat for their likenesses were struck with the fidelity of the portraits.[25] The results of a careful searching for the definite original of Sam Slick, however, only confirm the

[23] *Ibid.*, II, 260, 266.

[24] Second series, II, 74, 75.

[25] F. B. Crofton's conjecture (see *Haliburton: a Centenary Chaplet,* 63) that Mr. Hopewell was in part suggested by the Abbé Segogne is corroborated by Judge A. W. Savary's personal recollections of the Abbé. According to Judge Savary the descriptions which Haliburton presents of Sam Slick's "minister" bear a strong general resemblance to Haliburton's old friend at Clare.

inevitable decision one reaches before one's quest begins, that Haliburton's jester-moralist is nothing other than a patch-work combination of numerous and heterogeneous features brought together from any and every convenient source of borrowing. Certain individuals from among Haliburton's intimates and associates were, of course, as surely laid under contribution as were literature and tradition, but Sam Slick was no more specifically one of them than he was a pure breed Yankee.[26] For a part of his anecdotal equipment there is excellent authority for stating that it was derived from the Honorable S. G. W. Archibald, Haliburton's colleague in the House of Assembly, subsequently Master of the Rolls in Nova Scotia, a man known far and wide throughout the province for his repertory of odd yarns and witty maxims, and for his unusual skill as a raconteur.[27] And there is little question that Judge Peleg Wiswall of Digby also provided his young lawyer friend from Annapolis Royal with many of the stories later retold by Sam Slick. It is probable, too, that Haliburton gathered much of Sam Slick's local humor from the conversations he is said to have held with "Lonnie" Geldert, the coachman who often drove him as a passenger on "the mail" from Windsor to Shelburne. But the one provincial to whom Haliburton seems to have owed most in compounding Sam Slick was Stephen Ryerson, a resident of Clements township in the county of Annapolis and a popular district celebrity. If, as has been stated without qualification by the usually dependable historian of that

[26] The theory sometimes put forward that Haliburton owed his suggestion for Sam Slick to one Seth, a Yankee pedlar brought before him for trial for selling worthless clocks to the Bluenoses, must be rejected, since the trial in question took place long after Sam Slick had made his appearance in print. (See *Haliburton: a Centenary Chaplet* 27, 45.)

[27] Longworth, *Life of S. G. W. Archibald,* 157–159.

community,[28] Stephen Ryerson was the veritable "character" presented in Haliburton's *Old Judge* as "Stephen Richardson," then there can be no doubt that Haliburton had him in mind at many times in the elaboration of Sam Slick. The unmistakable resemblance between the two permits of no other explanation. Stephen Richardson is merely the Yankee pedlar toned down to the reality of a Bluenose farming-trader. In their general lineaments, physical prowess, rollicking capers, in their outspokenness and volubility, their endless yarn-spinning, and their dialect, in their turn for apt phrasing and startling similes, for aphorisms and flattery, in their politics, and even in their capacious thirsts, they are one and the same. Whoever suggested the idiosyncrasies of Stephen Richardson suggested most of Sam Slick's as well. In Ryerson, Haliburton had apparently found an instance of what was common in many sections of western Nova Scotia, and of what his paternal ancestry was but another example, an undiluted strain of New England stock transplanted into the provinces, so that Sam Slick was probably indebted, therefore, to a native Bluenose for the greater portion of such of his Yankee mannerisms as had any basis in reality. Some of the details of Sam Slick's later appearances as a United States Fisheries Commissioner engaged in cruising about the Nova Scotian coast[29] may, however, have been copied from an out-and-out Yankee, the Honorable Israel D. Andrews, employed by the American government in a capacity so similar to that in which the renowned Clockmaker was reintroduced to the reading public for the last time, as to make the conjecture that the official status of the one gave the hint for that of

[28] A. R. Calnek, in the Calnek-Savary *History of the County of Annapolis*, 250.

[29] In *Wise Saws* and *Nature and Human Nature*. See below, 544.

the other extremely plausible. From all that can be learned of Andrews' life[30] he was just the kind of an ingenious "down-easter" to have been readily connected with the tradition to which Sam Slick belonged, and his experiences of a sort to have furnished, had he been disposed to tell them, innumerable accounts of Yankee shrewdness. Born in Eastport, Maine, he spent his youth in the international border-line traffic, an occupation always involving a certain measure of smuggling. Struck by the absurdity of the tariff regulations which occasioned this resort to illicit business, he became an ardent promoter of free-trade between his country and the colonies. Appointed United States Consul-General to all British North America and a special investigator for the United States Treasury department in 1847, he prepared a monumental report on provincial commerce and fisheries, that was utilized principally in the negotiations leading to the so-called Elgin Reciprocity Treaty of 1854. In the course of his various tours of inspection he visited every fishing port and customs-office in Nova Scotia, and made the acquaintance of nearly every citizen of importance in the province. Haliburton was particularly interested in, and well informed on, the contents of his Report,[31] though there is no absolute proof that he knew Andrews personally.

In the light of this examination of Sam Slick's motley make-up it is surely not to be wondered that trustworthy students of American manners and customs, and those who had opportunity to observe the genus Yankee at close range, should have pronounced Haliburton's Clockmaker

[30] See the pamphlet, *A Sketch of the Rise and Progress of the Reciprocity Treaty . . .*, by Thomas C. Keefer, 5ff.; and Adam Shortt in *Canada and its Provinces*, V, 237ff.

[31] See Haliburton's *Glasgow Address*, 43; and his speech in Parliament, May 11, 1860, *Hansard*, CLVIII, 3rd. ser., 1109.

a fraudulent misrepresentation of New England character. Professor (later President) C. C. Felton of Harvard, whose judgment was perhaps not uncolored by justifiable anger,[32] while admitting "the keen pursuit of gain, the eagerness for driving a bargain, the resort to trickery, and even downright fraud," [33] persistently charged upon the Yankees, denied that Sam Slick bore any proper semblance to the class he was supposed to typify.

"He is badly conceived," argued this most discerning, if not the most dispassionate, of Haliburton's American critics, "his character is an incongruous mixture of impossible eccentricities. His sayings are sometimes not destitute of wit; but his language is a ridiculous compound of provincial solecisms, extravagant figures, vulgarities drawn from distant sources, which can never meet in an individual, and a still greater variety of vulgar expressions, which are simply and absolutely the coinage of the provincial writer's own brain. On this point we speak with some confidence. We can distinguish the real from the counterfeit Yankee, at the first sound of the voice, and by the turn of a single sentence; and we have no hesitation in declaring, that Sam Slick is not what he pretends to be; that there is no organic life in him; that he is an imposter, an impossibility, a nonentity." [34]

James Russell Lowell, than whom, when he wrote, there was no better authority on New England characterization, stated in the Introduction to his *Biglow Papers* [34] that he "had always thought 'Sam Slick' a libel on the Yankee character, and a complete falsification of Yankee modes of speech," [35] though, "for aught I know," he added, "it may be true in both respects so far as the British provinces are concerned." And G. W. Curtis in one of his "Easy Chair"

[32] See below, 449, 450.

[33] *North American Review,* LVIII, 211, 212.

[34] Series two, the Riverside edition, 280.

[35] Nevertheless many of Sam Slick's Yankeeisms are identical with those used by Lowell's Hosea Biglow.

essays placed Sam Slick in the category of " extravaganzas and caricatures " of American character-types " seen without imagination and drawn without skill." [36] But if there was little convincing realism in Sam Slick, there was much diverting liveliness, and at least a sort of stage vitality, so that, notwithstanding his decided lack of authenticity, he was well enough equipped with what makes for popular appeal to win his way promptly into an astonishingly widespread favor, not only in England and the colonies, but also in the United States.

Indeed it was the immediate and positive evidence of American interest in the very first manifestation of Sam Slick's powers of entertainment and instruction, indicated by the alacrity with which Haliburton's " Recollections of Nova Scotia " were copied into the American newspapers,[37] quite as much as by any enthusiastic provincial approval, that induced Joseph Howe to re-issue them as a volume. To what extent *The Clockmaker* was actually read in the United States, however, there is no testimony that is both definite and reliable, although there is the word of President Felton, which certainly would not err on the side of too liberal an estimate, to the effect that it was " widely circulated " and " praised " there, admissions that are amply borne out by such other comments of the American press of the time as are still obtainable. But if the following naïvely exaggerated account, printed in *Bentley's Miscellany* during 1843,[38] referring to the success of the first series in America, rested on any foundation of proportionate truth at all, then Sam Slick's popularity among the people he most flagrantly and perversely, yet withal amusingly, misrepresented was little less than extraordinary:

[36] *Harper's Magazine,* LXIII, 627.

[37] See above, 197, 198. [38] XIV, 81ff.

"Within a few weeks from the period of their [Haliburton's "Recollections"] first publication they had become so popular with their readers, that the editor of the Nova Scotian newspaper applied to the author for permission to reprint them entire; and this being granted, he brought them out in one small, unpretending, duodecimo volume, whose popularity, at first confined to our American colonies, soon spread over the United States, by all classes of whose inhabitants it was welcomed with the approbation which was its due. At Boston, — at New York, — at Philadelphia, — at Baltimore, — in short, at all the leading cities and towns of the Union, this anonymous little volume was to be found on the drawing-room tables of the most influential and intelligent members of the social community, while, even in the emigrant's solitary farm-house, and the squatter's log-hut among the primeval forests of the 'Far West,' it was read with the deepest interest, cheering the spirits of the back-woodsman, when his day's toil was at an end, by the wholesome, vigorous, and lively pictures which it presented of actual life in many of its most familiar phases. A recent traveller, whose diary may be found in a New York monthly periodical,[39] has spoken in animated terms of the surprise and pleasure he experienced at meeting with a '*well-thumbed* copy' of the little duodecimo in question, in a log-hut among the woods of the Mississippi. . . ." [40]

In England almost from the day the first *Clockmaker* was published there, Sam Slick began to invite comparison with the then national favorite, Sam Weller, and to challenge the latter's hold upon the affections of the English public, and before the mid-century was reached he had given his Cockney rival a close run for first honors in the race for popular esteem. But from that time on he rapidly dropped behind in the contest. ". . . it is not too much to say," notes Justin McCarthy in his *Portraits of the Sixties*, "that Haliburton's Sam might fairly rank for

[39] Unidentified.

[40] Positive evidence that Sam Slick was well known along the Ohio prior to 1843 is afforded by Bayard Rush Hall in his *The New Purchase*, Princeton University Press, reprint, 44–46.

drollery, for keen observation, and for genuine humor with the Sam who was the creation of Charles Dickens. *Sam Slick* was at one time, and for a long time, a book of immense popularity among English as well as among American readers." And in the same connection he remarks further, "I can remember the days when Sam Slick was as well known in England as Sam Weller, and when his sayings and doings, his odd original humors, and his vivid pictures of eccentric figures were the subject of frequent allusions and quotations in English books and newspapers, and in the conversation of all who had a genuine relish for fiction of the comic order." Nor were those who found Haliburton's works highly satisfactory to the literary taste of which McCarthy speaks included only in the rank and file of book-lovers. Among those of a presumably more than usual discrimination in humor there was, for example, Walter Savage Landor, who expressed his pleasure in the Sam Slick variety by rhyming thus:

"TO JUDGE HALIBURTON

Once I would bid the man go hang,
From whom there came a word of slang;
Now pray I, though the slang rains thick
Across the Atlantic from *Sam Slick,*
Never may fall the slightest hurt on
The witty head of Haliburton,
Wherein methinks more wisdom lies
Than in the wisest of our wise." [41]

Even upon the dour Thomas Carlyle *The Clockmaker* seems to have made some appreciable, if not enjoyable, impression, since in *Past and Present* he alluded to "these vagrant Sam-Slicks." [42] But possibly the most striking proof of Sam Slick's remarkable vogue in England was the appearance and sale on the streets of London of a popular

[41] *Dry Sticks Fagoted,* 33. [42] Centenary edition, 281.

broadside bearing his name and traditional calling, and written in farcical exaggeration of the most extravagant "tall" style of which he was capable. So far as is known it has never been reprinted. For this reason, as well as because it illustrates admirably every one of the conventions that went into the all-inclusive mixture synthesized in Haliburton's Clockmaker, its reproduction here may be not without interest:

SAM SLICK THE YANKEE PEDLAR

Air — "Yankee Doodle."

Oh, here I come before you all,
And reckon yourselves lucky,
That I've brought the news along,
From wonderful Kentucky!
My mother from Virginny came,
My father was no noodle,
And 'twixt them both they brought me up
A regular Yankee Doodle!

Spoken

It isn't every day that you see a genu-ine Yankee doodle, I calculate! Oh; no. Now look at me. I'm cast iron all over, and pieced with rock. One of my blows is either sudden death, or long sickness. If I was to hit a fellow it would knock him into mortal smash, and it 'ud take about eternity to pick up all the pieces — it would, I reckon! We Yankees are a tarnation 'cute race; we make a fortune with the right hand, and lose it with the left. I'm half fire, half love, and a little touch of the thunderbolt! But here's my wares! I don't want to say much about them; only here's a pair of spectacles, that if you just clap them across your olfactory organ, you can see to read a dictionary through a copper biler — you can, I guess.

So here I am, just down from South,
In every thing a meddler,
Spruce and slick in everything
Is Sam the Yankee Pedlar!

Now here's my wares, spick span and new!
My darlings, come and buy them,
From bonnet ribbons to a horse's shoe,
You'll find that I supply them;
Came [*sic*] gather round, my little dears,
In love I am a meddler,
A Cupid from down East,
Is Sam the Yankee Pedlar.

Spoken

Yes! I reckon I can teach you the art of love in considerable less than no time. There's my sister, she's strong, but brother's a tarnation sight stronger. He's as strong as a steam engine, and can swim harder, dive deeper, run faster, cut slicker, gouge, drink, and fight till the world's too old to jog. When I was eight years old, I wanted to go into the Volunteers but mammy said I wasn't tall enough: so what do you think I did? I eat so much, till I got as big round as a sugar-hogshead, theu [*sic*] mother put me under the mangle, and rolled me out: and here I am, a regular spouter [sprouter?]. We Yankees don't do things like you Britishers; we are born in a hurry, educated at full speed, our body is a 'tarnal locomotive, travelling fifty miles an hour, our spirit is high pressure, and our life resembles a shooting star, till death surprises us like an electric shbck [shock?]. I reckon we understand everythang [*sic*] — Do you understand a teetotaller? I once travelled through the State of Maine with one of them 'ere chaps. He was as thin as a whipping post, and his skin looked like a blown bladder after the air has gone — a kind o' wrinkled and crumpled like, and his eyes were as dim as a lamp that's livin' on a short 'lowance of oil. He put me in mind of a pair of kitchen tongs — all legs, shaft and head, and no belly — a real gander-gutted looking crittur, as hollow as a bamboo walking cane and twice as yeller. He actually looked like a wreck at seas and he might be dragged through a gimlet-hole. If he were a lawyer, thinks I, the Lord have mercy on your client, you hungry half-starved looking crittur: you'd eat 'em all up alive as sure as I'm born. You're just the chap to strain at a gnat and swallow a camel — tank shank and flank all at one gulp. But I guess it's no good o' my palavering any longer for my mouth's getting rayter [rather?] rusty about the hinges: therefore you'd better speculate afore I go, as I said

before. I — Sam Slick the Yankee Pedlar — I can ride on a flash of lightning and catch a thunderbolt in my fist. I've the prettiest sister and the best shooting rifle in all Virginia. I'm the most glorious, original, and never-to-be-forgotten, smash-biler-bu'sting, free and enlightened nigger-whipping Pedlar as ever was raised, and no soft-sawder. So, go-ahead.

So here I am, just come from the South,
In everything a meddler:
Spruce and slick in everything
Is Yankee Sam the Pedlar.[43]

From England the fame of the Bluenose Yankee spread to the continent, four editions of *The Clockmaker,* apparently all in English, being printed in France, and one, in translation, in Germany. What the Germans thought of the book no record remains to tell. The fact, if it is a fact, that Bismarck numbered it among his favorites [44] is perhaps less significant of the Iron Chancellor's appreciation of American humor, than of his approval of Haliburton's unswervingly Imperialistic colonial policy. Among the French there was, to judge from the comment of two of their magazine writers, a most generous and enthusiastic welcome for *The Clockmaker,* both as an illuminating political satire and as an example of humorous character-portrayal. " . . . il est le miroir le plus fidèle de toute une portion de l'humanité," said Emile Montégut in the *Revue des Deux Mondes,*[45] " et pourrait dire mieux que M. Clay lui-même vers quelles destinées marche l'Amérique." To Montégut, Sam Slick was " pas seulement un personnage comique, une sorte de Gil Blas Américain "; he was " un historien facétieux et un chroniqueur bouffon "; and

[43] British Museum. Reference number, 11621.k.5. (223). Conjecturally dated 1860.

[44] R. G. Haliburton in *Haliburton: a Centenary Chaplet,* 36.

[45] Feb. 15, 1850. n.p. 5, 732.

again the same critic referred to him as "Spirituel, judicieux, profond Sam Slick!" And another French littérateur, Philarète Chasles, asserted, also in the *Revue des Deux Mondes*,[46] that, "Since the personages of Sir Walter Scott, nothing has been done better than this character of Sam Slick. This Connecticut Clock Pedlar, is an excellent and clever creature; without cleverness in *our* way, that old cleverness turned rather rancid and stale, withered by its transformations, its passage through college, Rome, Greece, Egypt and some thirty ages of affiliation; but a naïve, native cleverness, which comes from experience, as the spark comes, gleaming, from the flint, vivid, short, penetrating, not troubling itself about words; a republican Panurge."

Probably such an uncritical opinion as this was shared by but few persons either in France or elsewhere. There is small room for doubt, nevertheless, that throughout the decade in which Chasles's eulogy was written Sam Slick, both as a political moralist and as a didactic jester, was very highly thought of among large numbers of readers, especially in England. The hundred-odd editions of Haliburton's works in which the pseudo-Yankee appears as the most prominent figure [47] attest far more eloquently than the praise of any contemporary reviewer, however unstinted, to the notable appeal he formerly made on both sides of the Atlantic. Nor was the interest thus shown to have been taken in him merely that evinced during the period mentioned. Though much diminished, it continued for many years afterwards, and if *Clockmaker* sales now mean Sam Slick admirers it has not absolutely disappeared

[46] April 15, 1841, 389–418, in an article afterwards included in the English translation of his *Études sur la Littérature et les Moeurs des Anglo-Américains*, 227, which is quoted here.

[47] See Bibliography below, 656–661, 663, 664.

even yet. But his reputation has, of course, long outlived his popularity. If to-day there are thousands who know him well, it is not necessarily because they have ever read a word of Haliburton. Rather it is because Sam Slick's eccentricities were once so famous that they have been handed on by the mysterious processes of descent by hearsay, and because his name was once so commonly associated with that for which he stood that it passed for a time into the language as a synonym for impudent slyness, and as such still remains in occasional use. Of its survival in this special sense there has perhaps been no more astounding instance than that recorded by Sir Max Aiken (now Lord Beaverbrook) in narrating, in his *Canada in Flanders*,[48] an incident of the recent World War. On the evening following a particularly satisfactory, and crafty, ruse by which the Germans in the trenches opposite one Canadian battalion had been lured into a position where they were exposed to an unexpected and devastating artillery fire, so the story runs, their temporarily elated foemen from the Land of the Maple Leaf were surprised beyond measure to hear a properly "hyphenated" voice call peevishly across to them in the deepening twilight, "Say, Sam Slick, no dirty tricks tonight!"

[48] I, 118.

CHAPTER XIV

"THE FATHER OF AMERICAN HUMOR"

If "Artemus Ward" ever ventured the remark, so often attributed to him,[1] that Haliburton was "the father of the American school of humor," no satisfactory reason for crediting him with such an assertion appears to have survived the test of time.[2] Long accepted, however, as the authentic opinion of one presumably in a position to speak with authority, most of those who have pretended to any intimate knowledge of Haliburton at all have come to regard it as a statement of positive fact.[3] For the latter belief there is, of course, no justification whatever.

[1] See R. G. Haliburton in *Haliburton: a Centenary Chaplet,* 28; F. B. Crofton, *ibid.,* 89; *Dictionary of National Biography,* art. on Haliburton; Pelham Edgar, *Cambridge History of English Literature,* XIV, 346; J. D. Logan, "Re-views of the Literary History of Canada," *Canadian Magazine,* XLVIII, 6; E. A. Baker, Introduction to *The Clockmaker* (Half-forgotten Books Series), ix; etc, etc.

[2] There is a bare possibility that the "Artemus Ward" to whom this remark should properly be credited was not the well-known American humorist at all, but a Nova Scotian imitator of his style, writing over the same *nom de plume* in the columns of *The Acadian Recorder* (Halifax, N. S.) during 1862–63. No copies of the *Recorder* available for examination afford quite the evidence required to turn this possibility into certainty, however, although the number for January 10, 1863, contains one of the provincial "Artemus Ward's" letters on "Blew knows literatoor" that praises the high "toan" of Haliburton's humor.

[3] Marquis, *Canada and its Provinces,* VII, 541, 542; *Warner's Library,* selection from Haliburton, head-note, XII, 6848; M. W. Morley, *Down North and Up Along,* 131; G. R. Parkin, *Sir John A. MacDonald,* 96; *Chambers' Encyclopedia,* art. on Haliburton, III,

Whether by his indeterminate, and possibly mere chance, expression the supposititious "Artemus Ward" meant to imply that Haliburton was the foremost in influence or, as seems more likely, the first in point of time among writers, either in the whole field of American humor or in that special portion of it connected in some way or another with the tradition of the "typical" New Englander, he was equally mistaken. For nearly a century and a half before Haliburton was born humorous literature had been produced in America in an unbroken succession of various types, ranging from *The Simple Cobbler of Agawam* by Nathaniel Ward to Benjamin Franklin's serial editions of *Poor Richard's Almanack,* while the comic presentation of the "genuine" Yankee on the stage or in print had begun almost as soon as he had made himself thoroughly familiar throughout the United States as the itinerant tradesman of reality. And yet on the assurance of no stronger testimony than that of an informant whose identity is at best but doubtful, numerous commentators on Haliburton's life and works have not only gone on, ignorantly or perversely, repeating and giving endorsement to the original false impression concerning his precedence or importance as an American humorist, but have amplified it with such similiar inaccuracies of their own invention as that Haliburton was "the creator of the first Yankee of literature;"[4] or that "Haliburton was the first writer who

---

723; Martin and Campbell, *Canada,* 31; G. R. Parkin, *The Great Dominion,* 109; John Nichol, *American Literature,* 411; H. L. Mencken, *The American Language,* 3rd. ed., 94; etc.; see also the tablet placed by the Nova Scotia Historical Society on the Haliburton house at Windsor N. S., commemorating its original occupant as "The Father of American Humour," and a similar tablet unveiled at Annapolis Royal, N. S., on the centenary of Haliburton's admission to the bar. [4] Ruth Kedzie Wood, *Bookman,* XLI, 152.

used the American dialect;"[5] or that, "From Haliburton flows the great stream of American dialect humor. Mark Twain, Artemus Ward, and a dozen others, all trace their descent from him;"[6] or even that, "American humor received its impulse from 'Sam Slick,' and Haliburton was, moreover, the first writer to use the American dialect in literature. Artemus Ward, Josh Billings and Mark Twain are, in a way, mere imitators of Haliburton, and he is their superior."[7] An investigation of Sam Slick's literary antecedents will show Haliburton to have been much less of an innovator, and much less original, than the perpetuation and multiplication of such erroneous notions has led many to suppose.

Though far removed from the riotous hilarity and immoderate talkativeness of Haliburton's embodiment of the "genuine" Yankee, the laughter-making "down east" strain may be clearly recognized in the person of the country-bred "Jonathan," the earliest known example of the conventional New Englander of the stage,[8] who was introduced to the theatre-going American public in Royal Tyler's comedy *The Contrast*, first acted in 1787. If this pioneer Jonathan had said nothing more than, "Now, I'm a true born Yankee American son of liberty and I was never afraid of a gun yet in all my life," his kinship with Sam Slick might still be fairly argued. An additional sample of his but mildly explosive speech establishes their relationship beyond all question: "Why, as I was

[5] *Dict. Nat. Biog.*, art. on Haliburton.

[6] W. L. Grant, *The Tribune of Nova Scotia*, 40.

[7] T. G. Marquis, in *Canada and its Provinces*, XII, 541.

[8] A. H. Quinn, *Representative American Plays*, 45; C. S. Coad, *William Dunlap*, 134; and his article, an invaluable contribution to the history of the comic Yankee in literature, "The Plays of Samuel Woodworth," *The Sewanee Review*, XXVII, 163–175; W. P. Trent, *American Literature*, 201.

standing talking with her . . . the snarl headed curs fell a kicking and cursing of me at such a tarnal rate, that, I vow, I was glad to take to my heels and split home, right off, tail on and like a streak of chalk." The appearance of the hero of another American play of this period, J. Robinson's *The Yorker's Stratagem or Banana's Wedding* (1792), in the guise of a Yankee trader is significant of the wide-spread acquaintance thus early with the outstanding New England proclivity rather than of any anticipation of Sam Slick's peculiar qualities. Nor does the comedy character "Nathan Yank," a "sharp fellow" suggested by the elder Joseph Jefferson to J. N. Barker as an extra-measure drawing-card for the latter's *Tears and Smiles* (1808), belong more properly to the true Jonathan lineage, although he speaks what Barker calls "Columbianisms."[9] The title figure in *Jonathan Postfree, or the Honest Yankee,* an unacted musical farce written by L. Beach in 1807, and the father and son presented as New England sailors in *Yankee Chronology: or, Huzza for the Constitution,* a musical interlude composed in 1812 by William Dunlop, were of the same general class of unreal "real" Yankees. But from the Jonathan of *Love and Friendship: or, Yankee Notions,* a comedy by A. B. Lindsay, published in 1809, the descent of the Slick family in the drama may be traced without further marked deviations from type straight down to the advent of the incorrigible Sam himself, even if this particular Jonathan and his immediate successors on the stage do display decidedly more "greenness" and honesty than is inherent in the more farcical Yankees who came later. Of this transitional sort of stock New Englander are "Jonathan Peabody," a humorous figure in J. K. Paulding's comedy, *The Buck Tails; or, Americans in England* (1814), and

[9] See the Preface, *Tears and Smiles.*

the mirth-provoking "Doolittle" in *The Yankey in England*, also a comedy, conjecturally dated 1815,[10] written by General David Humphreys, one of the Hartford Wits. The former, however, indulges in some of the identical comicalities later employed by Haliburton, and the latter was meant to exemplify a carefully expounded idea respecting the nature of the "real" Yankee that is of especial interest in the pronounced resemblance it bears to the traditional view afterwards reflected so unmistakably in Sam Slick:

> "Made up of contrarieties — simplicity and cunning; inquisitive from natural and excessive curiosity, confirmed by habit; credulous from inexperience and want of knowledge of the world; believing himself to be perfectly acquainted with whatever he partially knows; tenacious of prejudices; docile, when rightly managed; when otherwise treated independent to obstinacy; easily betrayed into ridiculous mistakes; incapable of being awed by external circumstances; suspicious, vigilant and quick of perception, he is ever ready to parry or repel the attacks of raillery by retorts of rustic and sarcastic, if not original and refined wit and humor." [11]

As close as this impression of the "down easter" approaches to that which later became well-nigh universal, it was not made dramatically effective in Humphreys' play, and it was not until 1825 that a stage Yankee was evolved with sufficient popular appeal to hold his place in the theatre with any degree of permanency. The distinction of being the first to attain this success fell to the rural character, "Jonathan Ploughboy," as acted by Alexander Simpson in Samuel Woodward's operatic comedy *The Forest Rose; or, American Farmers.* Produced from coast to coast in America, *The Forest Rose* was eventually taken to England, where with J. S. Silsbee in the comic rôle it is said to have had a run of over a hundred consecutive

[10] *The Life of David Humphreys,* II, 333.
[11] *The Yankey in England,* 15.

nights.[12] One successful stage Yankee begot another, and it was not long[13] before James H. Hackett had secured well merited fame both in the United States and in England as "Solomon Swop," a native New England trader displaying most of the usual Sam Slick humors, in a revision of the younger George Colman's *Who Wants a Guinea?* called *Jonathan in England.* Following Hackett's achievements, and preceding Haliburton's contribution of his "Recollections" to *The Novascotian,* Yankee plays became increasingly common, chiefly notable among them being J. S. Jones's *The Green Mountain Boy* (1833) and C. A. Logan's *Yankee Land* (1834), featuring "Jedidiah Homebred" and "Lot Sap Sago" respectively. While neither of these characters approximated Sam Slick with anything like the completeness of Hackett's Solomon Swop, both of them were creditable representations of the routine Yankee mannerisms and drolleries. The stage duplicate of the travelling wizard of *The Clockmaker* was finally reached, however, with the comic New Englander as portrayed by George H. Hill, better known as "Yankee Hill," the American actor who first acquainted English audiences at large with the side-splitting possibilities of "down east" eccentricity and dialect,[12] and who, interestingly enough, thereby made himself indirectly, and unconsciously, of course, responsible for the prompt appearance and cordial reception of Sam Slick in England. Originally starred as Jonathan Ploughboy, a part in which he emulated the triumphs of Alexander Simpson, Hill went to England in 1836, and there in his irresistibly humorous impersonation of "Hiram Dodge," a fully developed Yankee sharper in Morris Barnett's extravaganza, *The Yankee Peddler; or, Old Times in Virginia,* he had taken

[12] *Life and Recollections of Yankee Hill,* edited by W. K. Northall, 45, 47.

[13] Probably by 1827.

the entire country by storm. That Richard Bentley, the London publisher, was shrewdly alert to the business opportunities thus created by English enthusiasm for Yankee caricature there is not the least doubt, nor that having had, at the very height of Hill's popularity abroad, Haliburton's now famous duodecimo placed in his hands, he quickly signified his willingness to risk its unauthorized reprinting. It is even possible that Hill's interpretation of Hiram Dodge slightly modified Haliburton's later elaboration of Sam Slick, for during Haliburton's visit to England in 1838 Hill was again playing in London, and if the Nova Scotian judge and author failed to see the celebrated Yankee in action he at least might have heard what he missed endorsed by his friend and fellow sight-seer, S. R. Fairbanks, who recorded thriftily in his Journal for Wednesday, July 18, of that year: " . . . agreed to visit Haymarket — went in *after* high price — *saw few* scenes of Yankee Pedlar — well acted."

In fiction, Yankees of the Sam Slick variety were much slower to emerge into favor than in the drama, though doubtless they early became heroes of popular anecdotes that never found their way into print, and of newspaper sketches that were never put into books.[14] Less ludicrous

[14] See, for instance, John Neal's *The Yankee and Boston Literary Gazette*, published during 1828–29. *The Idiot, or Invisible Rambler*, by Samuel Simpleton, a periodical, as foolish as its title would lead one to expect, published in Boston during 1818, and apparently for that year only, while anything but a newspaper, of course, contains plenty of Yankee jests and yarns. Quoted from the *Farmer's Register* in the twentieth number of *The Idiot* is a bit of doggerel beginning

A Yankee Pedlar, who, 'tis said,
Bearing the name of honest Jack,
Carries more mischief in his head
Than trinkets in his pack;

and diverting Yankees were, however, frequently introduced into novels and tales written by American authors or visitors to their country throughout the quarter-century or so just before *The Clockmaker* appeared. Of this type, presumably, despite the likelihood of their being depicted as both sly and "cute," were most of the New Englanders in the "hundreds and hundreds" of volumes purporting to describe the "down eastern" people but rejected as failures by John Neal, who considered himself, and who at the time he wrote [15] probably was, the chief authority on New England characterization, because they contained not so much as "one single phrase of *pure Yankee*." And scarcely nearer the Haliburtonian conception of the species were the New Englanders begrudgingly approved of by Neal in the works of Miss Sedgwick,[16] Timothy Flint,[17] and Cooper,[18] although they occasionally spoke what it would seem might pass for a proper Yankee dialect, and at least one of them, "Harvey Birch" in *The Spy* (1821), understood the secrets of itinerant trading. Neither was there much more than a fairly general similarity between Sam Slick and those other Yankees discoverable in the New England character sketches antedating the work of these writers, notably the

---

which shows the complete familiarity with Sam Slick's forebears at this early date. The Boston *New England Galaxy* for 1827–28 prints a letter series called "Travels of a Tin Pedlar" that discloses several touches of peddling humor, and quotes in one number a humorous sketch from the Savannah *Mercury* called "The Yankee in Georgia."

[15] 1833, in the Preface to *The Downeasters*, I, iv.

[16] See her *A New England Tale* (1822), and *Redwood* (1824).

[17] See his *Recollections of Ten Years Passed in the Valley of the Mississippi*, (1826).

[18] Besides *The Spy*, mentioned below, see his *The Pioneers*, (1823), *The Pilot* (1823), *Lionel Lincoln* (1825), and *The Last of the Mohicans* (1826).

unsurpassed analysis of that type of local talent indigenous to Connecticut first set forth by Washington Irving in his Knickerbocker's *History of New York* (1809) and later given enduring memorability through his "Ichabod Crane" of *The Sketch Book* (1819), and rather less notably J. K. Paulding's *The Diverting History of John Bull and Brother Jonathan* (1812), and various of that author's *Salmagundi* contributions, though it was possibly these last upon which Neal bestowed some of his rare and never very heartily accorded praises.[19] Nor were Neal's own drawings of the Yankees more markedly Sam Slick-like in any of his attempts at fiction prior to 1830,[20] but in 1833, that *annus mirabilis* of Sam Slick progenitors, he achieved in *The Downeasters,* along with a collection of other Yankee likenesses which he defied anyone to call unfaithful, a double full-length portraiture of the New England pedlar-class with a pair of cozening brothers that could set the pace for Haliburton's Autolycus in everything but politics. In the same year also there appeared three witty narratives from the satirical pen of Asa Greene, lampooning *inter alia* various aspects of humorous New England vagaries and customs: *The Life and Adventures of Dr. Dodimus Duckworth, A. H. Q.*, a biographical farce telling in mock-heroic style the escapades of a spoilt child; *Travels in America . . . By George Fibbleton, Esq., Ex-barber to His Majesty, the King of Great Britain,* an extravagant burlesque of Mrs. Trollope's *Domestic Manners in America* and similar books by English travellers; and *A Yankee Among the Nullifiers: an auto-biography by Nathan Elmwood,* a slightly dis-

[19] See Preface to *The Downeasters,* vi. Irving's work he dismissed contemptuously as "Not American."

[20] See his *Randolph* (1823), *Errata* (1823), *Rachel Dyer* (1828), and *Authorship* (1830).

guised attack on the position assumed by the Southerners in the dispute over the Jacksonian tariff laws and their resultant attitude towards New England and the rest of the Union, in the course of which is related a series of crafty tricks perpetrated by an unnamed clock-pedlar that for audacity and dishonesty should have landed him at the head of his profession. But it was with "Jared Bunce" a "notion" vender who came to a much more respectable end than his roguish start in life gave any promise of, in William Gilmore Simms's *Guy Rivers* (1834), that the artful dodges of the New England peddling sodality were most carefully worked out previous to Sam Slick's *début*. Indeed Jared Bunce, who like most of his kind pursued his calling in the South, proved almost as worthy a claimant for fame as his rival among the Bluenoses, and in many of his natural gifts was so suggestive of consanguinity with his principal competitor that a second Jared Bunce making his entry into fiction twenty-four years later[21] admitted not only to being a lineal descendant of the original but "some sort of a cousin to Sam Slick" as well.

Of none of these numerous predecessors of *The Clockmaker* in the exhibition of the comic Yankee can it be said that they were Haliburton's actual sources. With those next to be mentioned, however, the case is decidedly different. What is generally recognized as the definite beginning of the "down east" tradition in American humor, and certainly the earliest example of a volume exclusively of this literary genus to become widely successful, is the *Life and Writings of Major Jack Downing, of Downingville, Away Down East, in the State of Maine*, published at Portland, Maine, in 1833; but the fact which chiefly distinguishes this exceedingly clever book, and which places it directly in the line of Sam Slick's provenience, is

[21] See below, 382.

that it was the first of a long series of works in prose and verse to utilize the oddities of New England character and dialect for the purposes of political satire. Its author, Seba Smith, a graduate of Bowdoin and a journalist of unusual ability, printed the initial Jack Downing "writing" in his own paper, the Portland *Daily Courier*, in January, 1830.[22] The political situation which occasioned this humorous sketch was the ridiculous six-weeks' deadlock which occurred as the result of the determination of each of two evenly balanced parties in the Maine legislature of that year to rule by straight partisan methods only. Desirous of exposing the absurdities of such narrow-minded tactics, and their consequences upon the public interest of his State, Smith conceived the idea of adopting the expressive speech of a native Yankee as the medium best suited for carrying out his wishes with the greatest amount of effectiveness and the least offense. As originally presented to the readers of the *Courier*, Jack Downing was an unsophisticated country youth, sent into Portland with a load of axe-handles, hoop-poles, and other "notions," where after having shown himself no fool in a trade, and while waiting for a brisker market than he found on arrival, he wandered into the legislative halls, and observing the amazing spectacle of stupidity being enacted there naturally wrote an account of it in the first of his letters to the folks "back home." It was with this letter that Smith undertook to regale his subscribers, then grown completely disgusted with their law-makers' indifference to civic welfare. Its success was instantaneous. All Portland laughed, and clamored to be further diverted. Other letters followed in response to this demand. As they increased in number their fame spread, first over the state, and finally over the whole Union. Jack Downing's importance ex-

[22] Seba Smith, *My Thirty Years Out of the Senate*, Preface, v.

panded with his reputation. Commissioned in turn captain and major in the Downingville militia, he was dispatched before long to the disputed territory between Maine and New Brunswick to report on the progress — and futility — of events there. Later he won the confidence and became the right-hand man of President Andrew Jackson, and in the capacity of private adviser accompanied the Chief Executive on his once much chronicled hand-shaking tour "up North." By that time in spite, or because, of his creator's use of him to ridicule the Jacksonian administration, he had attained a truly national celebrity, and shortly afterward his popularity having lead to an unwarranted reprinting of his opinions, his *Life and Writings* was issued as a protection against this altogether too complimentary circulation of Smith's uncopyrighted "down east" wisdom. To quote from the publishers' preface to the second edition [23] of this work, the letters of Jack Downing "were copied into every paper all over the land, and his name was in every body's mouth. Next to General Jackson he was decidedly the most popular man in the United States." Until 1837, with no appreciable falling off in the remarkable applause which first greeted his homely but pointed humor, Smith carried on the sequence of his Jack Downing correspondence in the Portland *Courier*, and then after a few years, having sold the *Courier* and removed from Portland, still confident in the appeal of the "redoubtable major," he revived the series in the Washington *National Intelligencer*, where he continued it until well down to the close of the presidency of Pierce, in 1856. Imitations of the original Jack Downing letters appear to have been legion.[24] Most

[23] Boston, 1834.

[24] See the Appendix to the *Life and Writings of Major Jack Downing*, 2nd. ed., (1833), 241, " . . . every body betook themselves to writing Jack Downing, till their letters almost over-shadowed

conspicuous among these spurious communications, and rivalling if not equalling the successes of the genuine,[25] were those contributed by Charles A. Davis, a New York iron and steel merchant, to the New York *Daily Advertiser* during 1833–34, and in the latter year collected and published under the title of *Letters of J. Downing, Major, Downingville Militia, second Brigade, to his old friend, Mr. Dwight*[26] *of the New York Daily Advertiser.* While in Attic cleverness they were hardly inferior to their prototypes, the undoubted favor which these simulated epistles of a secondary Jack Downing enjoyed was perhaps as much due to lucky accident as to merit. Living where he did, Davis found it possible to get his satires on various political events of pre-eminent importance before the metropolitan public several days in advance of those of his State of Maine inspirer, with which they seem to have been indiscriminately confused[27] and praised. But though both Seba Smith and his publishers protested with much resentment against the unfair use of the name "Downing" by others, it had no discernible effect in checking the out-pouring of Davis's "rascally counterfeits."[28] With

---

the land." Jack Downing was still being imitated in 1845. See the publishers' preface to the edition of the *Life and Writings* brought out in that year.

[25] According to an editorial foot-note in the first collected edition of these letters they had "been more extensively circulated, and more generally read, than any other production of modern times, not even excepting the Waverley novels."

[26] Theodore Dwight, the editor of the *Advertiser.*

[27] And are still, though for no good reason. The two sets of Downing letters are quite unlike in style, and are invariably signed differently, those of Smith with "Major (or Captain, etc.) Jack Downing," and those of Davis with "J. Downing, Major," etc., the military title always preceding in the case of the former, and always following in the case of the latter.

[28] See Jack Downing's preface to his *Life and Writings,* editions of 1833 and 1834.

two streams of this distinctly new brand of Yankee humor thus combined in full flood, not to mention the countless trickles from various unknown sources helping to swell the tide, it is no wonder that the merry torrent of literary production emanating from Downingville suddenly broke through its former bounds and overflowed from the United States into the British American colonies and Great Britain, and that as a consequence from 1833 on Jack Downing letters were copied and read in both these countries with as much avidity as in the land of their origin.[29]

Haliburton's obligations to the epistolary humors of the Jack Downing vogue constitute the most obvious of his literary indebtednesses. However consistently ignored at present, they were well enough known among his contemporaries to be freely and frequently made the subject of comment.[30] Moreover there is evidence to show that not only was Haliburton not unfamiliar to his fellow Nova Scotians as "the Jack Downing of British America," but that he was commonly believed to have endeavored to become such.[31] And he himself, though perhaps with quite other intentions, pointed pretty clearly to the most likely source of at least part of his Yankee entertainment, when at the complimentary dinner given him by his admirers in 1838 as the Historian of Nova Scotia,[32] in response to the toast to Sam Slick, he proposed, "J. Davies, Esq., the author of Major Jack Downing," who, he explained, was a "friend" of Sam Slick's that the Americans were "considerable proud of," "most popular in England" and "highly

[29] See the notice from the New York *Daily Advertiser* of December 13, 1883, appended to the Davis collection of Jack Downing's letters, 237. See also *The Novascotian,* March 26, 1835, and Oct. 12, 1837, and below, 371, 372.

[30] See the *Acadian Recorder,* July 1, 1837; *The Novascotian,* December 17, 1835; *North American Review,* LVIII, 215.

[31] *The Novascotian,* July 24, 1843.

[32] See above, 280–283.

esteemed in the colonies."[33] But whether this seemingly generous reference to "J. Davies" may be interpreted as an acknowledgment of his dependence for either inspiration or material in the evolution of Sam Slick upon any or none of the numerous exponents of the Downingesque style in humorous composition, the fact remains, as the publishers of *Jack Downing's Letters*[34] remarked, that, "Had Major Downing never written the public never would have heard of Sam Slick." Indeed, while Haliburton is not for a moment to be thought of as guilty of plagiarism in this connection, with no danger of over-statement one may go further yet, and insist that without Jack Downing Sam Slick never would have been even brought into existence, so certainly is the one the direct offspring of the other. But in spite of his apparently meaning to pay tribute to Charles A. Davis when he named the otherwise unidentifiable "J. Davies," it was not to the most skillful copyist but to the originator of Jack Downing that Haliburton owed his chief debt in evolving Sam Slick. From Seba Smith, in the first place, came the suggestion of a "live" Yankee among the Bluenoses, imparting for their guidance much needed advice on politics and still more useful matters just as Jack Downing was doing for his state and nation. It was Seba Smith also from whom were derived many of the comic devices employed by Haliburton for

[33] *Novascotian,* June 13, 1839. From the remarks made by the chairman of the banquet on this occasion it may be inferred that there had been not a little jealous comment exchanged between the admirers of Sam Slick on the one side and of Jack Downing on the other just previous to the dinner. Haliburton may, therefore, have been merely robbing his critics of any excuse for saying that he was sensitive to comparison of his Yankee with that of "Davies." Haliburton's whole speech was addressed to his enemies. See above, 282, 283.

[34] The title of the Seba Smith collection edition of 1845.

the amusement of his readers in the *Clockmaker* series and its sequels. Jack Downing's father, for instance, never wearies of telling over and over his Revolutionary War experiences at the "fatigue of Burgwine," while the elder Slick never tires of recounting his exploits at the Battle of Bunker Hill.[35] Jack Downing attempts to trace his ancestry from Sir George Downing of England,[36] and Sam Slick's father visits England for the express purpose of proving his descent from "the Airl" of Tunbridge.[35] Jack Downing indulges in the hope of getting an opportunity "to flog the whole British nation," and Sam Slick, as we have seen, cherishes no illusions about a good American's ability to "lick" his full share, if not more, of that "consaited" people. Both Yankees aspire to the Presidency of the United States, and both raise themselves to positions that justify that ambition, Jack Downing becoming the confidant of General Jackson, and Sam Slick accepting the appointment of "attachy" to the American minister at London.[35] Again from Seba Smith there were often extracted the various stray items of information which Haliburton called into requisition in his discussion of or allusions to such purely American topics as the threat of nullification, the expected failure of the United States Bank, the political aspirations and oratorical eloquence of Daniel Webster, the terrors of May Day moving in New York City, and the conditions prevalent among the

[35] See below, 436–446.

[36] For the transmission of this item of the Jack Downing fictions to Haliburton, Seba Smith acted only as an intermediary, however, printing the letter that divulges it as an appendix to his second 1833 edition of the *Life and Writings* under the heading "Letters that Jack Downing Never Wrote" from the New York *Daily Advertiser,* and presumably from the contributions of C. A. Davis to that paper, though Davis never included the letter in question in any of his Downing collections.

manufactories and the factory "galls" "to Lowell." Finally from Seba Smith Haliburton may have drawn a stimulation, of which he stood in no great want, however, in the way of a hearty antipathy to his own pet aversions, office seekers and professional politicians. Had Haliburton followed Seba Smith in the art of transcribing the Yankee dialect, the hearing of which must have been a matter of everyday occurrence in Nova Scotia,[37] as carefully as he did in these other respects it would have been the better for Sam Slick's credibility, for Smith had an undoubtedly well deserved reputation for fidelity to the speech of his "down east" countrymen,[38] and depended upon his genuine Yankee wit rather than on ludicrous misspellings to provoke the smiles of his readers. Unfortunately, from the point of view of realism, Haliburton chose the easier method of caricature and grotesqueness, and modelled his spelling of Sam Slick's language, in so far as it was tolerable Yankee at all, upon what he presumably found in the Jack Downing letters of Charles A. Davis, who to a much greater degree than Smith resorted to perversions and distortions of New England pronunciation in pursuit of his comic effects. Apart from this probable borrowing of some slight share of his dialect humors, Haliburton seems to have been directly beholden to Davis for practically nothing.

For the extravagant, bombastic, lurid, "all-fired" manner of Sam Slick's speaking, Haliburton unquestionably had recourse to the humorous literature of the South and

[37] See *The Old Judge,* viii, 19, 155, 174, 241 ff.; and numerous references to Yankee characteristics among the Nova Scotians recorded by early travellers in the provinces; and, in early provincial newspapers, the frequent mention of New England pedlars, fishermen, etc., as infesting the province or its coast waters.

[38] See the newspaper clippings quoted in the publishers' preface to Smith's *My Thirty Years Out of the Senate.*

West, which made its original appearance coincidently with the application of the comedy of New England character and idiom to political satire. That Haliburton was on terms of intimate acquaintance with two of the very first manifestations of this thoroughly individualized and distinctive addition to the varieties of American humor, the anonymous and apocryphal *Sketches and Eccentricities of Col. David Crockett of West Tennessee,* issued in what is termed on the title-page a "new edition"[39] in 1833, and the perhaps as poorly authenticated *An Account of Col. Crockett's Tour to the North and Down East* brought out a year later, can hardly be doubted.[40] It is certain that the first of these books had an extensive circulation in the United States, in the British colonies, and in England,[41] and the name of the ever popular Davy Crockett should have carried the other into equal favor. Haliburton's familiarity with the frontier hero of each declared itself as early as the publication of the third letter of his "Recollections" series in *The Novascotian* with Sam Slick's observation that "Col. Crockett is the greatest hand at a flam in our nation,"[42] and again in the caption of the seventh letter in the same series, "Go Ahead," the famous Tennessean's urgent motto, used at the time as a cant

[39] No earlier edition is known.

[40] What is said here of *Crockett's Tour* applies almost equally well to the probably authentic *An Account of Col. David Crockett written by himself* (1834). While the latter book is not properly to be included among examples of South-West humor, it is nevertheless full of just such matter as Haliburton would have put to use. It is interesting to note that if Haliburton read the former book, and that there is little doubt (see below, 376), he would have found a good deal of Seba Smith's Jack Downing influence reflected in its pages, some of it acknowledged as such.

[41] See below, 377. The Boston Public Library lists an *eleventh* edition of this book.

[42] *Clockmaker,* first series, 17.

expression among both the Americans and the English. And Haliburton's interest in the wealth of marvellous stories that for years never ceased to be told about the adventurous hunter and congressman continued unabated throughout the rest of his life, revealing itself in every one of his works in lighter vein from *The Clockmaker* to *The Season Ticket* with the single exception of *The Letter-Bag.*[43] In either the *Sketches* or the *Account* Sam Slick's forceful similes and habitual "tall" talk can be duplicated again and again, a fact which suggests that Haliburton found in one or the other or both of these volumes the earliest exemplification of what he evidently considered were highly appropriate linguistic idiosyncrasies to put into the mouth of his comic Yankee. But it is the former with its unlimited supply of the sort of "wild West" uproariousness and improbable incident in which Haliburton revelled that one may assert with almost positive assurance was faithfully studied by Sam Slick's improvisor before ever a word of *The Clockmaker* was sent to press. Reading these two samples, one of the mythical Crockett's wonted powers of expressiveness and the other of his customary self-possession, who will deny that they exhibit typical aspects of Sam Slick to the life?

"I'm that same David Crockett, fresh from the backwoods, half-horse, half-alligator, a little touched with the snapping-turtle; can wade the Mississippi, leap the Ohio, ride upon a streak of lightning, and slip without a scratch down a honey locust; can whip my weight in wild cats — and if any gentleman pleases, for a ten dollar bill, he may throw in a panther, — hug a bear too close for comfort, and eat any man opposed to Jackson."[44]

[43] See *Clockmaker*, first series, 17, 31; second series, 152; third series, 437 ff.; *Attaché*, first series, II, 146; second series, II, 119; *Wise Saws*, I, 7, 110; *Nature and Human Nature*, II, 30; *Season Ticket*, 20, 21, 209.

[44] *Sketches and Eccentricities*, 164.

"'The first thing I did,' said Davy, 'after I got to Washington, was to go to the president's. I stepped into the president's house — thinks I, who's afeard? If I didn't I wish I may be shot. Says I, "Mr. Adams, I'm Mr. Crockett, from Tennessee." "So," says he, "how d'ye do, Mr. Crockett?" and he shook me by the hand, although he know'd I went the whole hog for Jackson. If he didn't I wish I may be shot. Not only that, but he sent me a printed ticket to dine with him. I've got it in my pocket yet."[45]

What convinces one even more surely, however, that Haliburton actually received his first instruction in clock-peddling iconography from the unauthorized *Sketches* of Colonel Crockett's exploits is the carefully detailed description which it contains of the person and practices of a Yankee clock pedlar, one "Slim," between whom and Sam Slick the affinity is so very striking that an English reviewer of the first *Clockmaker* dispensed with any formal introduction of its most prominent character to his readers by simply recalling to their minds a similar Yankee whom they already knew, "the Clock Pedlar from Crockett's Adventures."[46] And the opinion lying behind this cursory explanation of Sam Slick's peculiarities was echoed by still another reviewer of the same *Clockmaker* when he wrote, "The worthy Sam Slick is a most amusing specimen of the Yankee character of the Crockett class."[47] Nothing for which Haliburton was indebted to the literature of the Jack Downing and Davy Crockett cycles serves to account, of course, for Sam Slick's proneness to punning and his gift for aphorisms. For both these endowments the hybridized Yankee had to thank the natural inclinations of his inventor.

Haliburton's obligations to his forerunners in the development of American humor, in its larger sense, were by no

[45] *Ibid.*, 167.

[46] *The Mirror* (London), XXIX, 252.

[47] Quoted, *The Novascotian*, June 8, 1837.

means confined to what he borrowed from humorists of the United States. In his own province of Nova Scotia, and in his own specialty of locally applicable satire, though in neither convention out of which its form mainly arose, he had a distinguished predecessor, from one notable production of whose extraordinary wit he learned many of the lessons he subsequently undertook to reteach to his fellow colonists. This, the ablest of his provincial exemplars,[48] was his personal friend, the Rev. Dr. Thomas McCulloch, founder and first principal of Pictou Academy.[49] During the years 1821–22 Dr. McCulloch published from time to time in the Halifax *Acadian Recorder* a number of anonymous sketches, long afterwards assembled and reprinted [50] in pamphlet form as the *Letters of Mephibosheth Stepsure*, which for downright funniness as an exposure of the follies of rural Nova Scotian life quite transcend anything of the kind attempted in *The Clockmaker*. In whatever Haliburton there essayed in the humorous delineation of his countrymen as given to gadding about and to gossip, as ignorant of all save wasteful farming methods and indifferent to better, as lazy and shiftless and drunken, as deluded into the vain hope of getting rich quickly by trading and inn-keeping, as ambitious solely for government jobs and contracts, as cutting down timber and building ships when they ought to have been cultivating the soil, as engaged in smuggling and gambling and horse-swopping, as "sold up" by the sheriff and in flight to "the lines," as indecent, immoral, and uncleanly, and as irreverent and irreligious, he but followed the lead of one who

[48] For proof that there were others, see the files of *The Novascotian* and *The Acadian Recorder* for frequent humorous letters, both in series and singly, previous to 1835.

[49] See above, 106, 112.

[50] By H. W. Blackadar, Halifax, 1860.

for subtlety and skill in the good-natured indictment of popular error was easily his master. Every one of the social, economic, and agricultural truths which subsequently had to be reimpressed on the easy-going Nova Scotians in Sam Slick's strangely fabricated vernacular before they would bestir themselves into self-sustaining activity was clearly anticipated and expounded in the elucidation of his neighbors' unnecessary misfortunes by Dr. McCulloch's soberly deliberative, frugal-minded, oddly named cripple. Only in his political philosophy, which found its more immediate provocation in conditions and events of considerably later date than those witnessed by Mephibosheth Stepsure, did Sam Slick hold forth for the benefit of the Bluenoses independently of the teachings of this canny Scotch-colonial creation.

While proof that Haliburton was in no sense of the word the first of American humorists is overwhelming, evidence of his alleged influence on his successors in the portrayal of the comic Yankee is absolutely non-existent. Haliburton founded no school, and, except for an insignificant few who sought to profit by Sam Slick's reputation, had no followers. To account for so profound a failure of so popular a writer to produce some decided effect on the work of succeeding practitioners of his own art, by saying, as has been said,[51] that he wrote in advance of his age, is to ignore the most obvious fact of his career as an author, namely this, that he was never the mere humorist but always and chiefly the political satirist, and therefore that his literary output was wholly the product of his own age and belonged to no other. His fate was precisely that of all political satirists — and of most of their victims. Once the party issues that had

[51] By J. D. Logan, "Re-views of the Literary History of Canada," *Canadian Magazine*, XLVIII, 6. Dr. Logan's remarks apply, however, only to Haliburton's lack of successors in Canada.

prompted him to speak had disappeared, his influence vanished also. There could be no second Haliburton just as there could be no second Joseph Howe. When the "family compact" in Nova Scotia was finally broken, and the struggle for responsible government definitely won, the leading ideas of both reformer and anti-reformer passed out of currency, and Haliburton's as voicing the creed of a forever lost cause were discounted the sooner. With his ideas grown valueless, Haliburton had next to nothing left to hand on to those who displaced him. All that remained of his satire that could possibly be of service to others was its manner, and in that there was in reality very little to attract imitation. What Haliburton tried to do in the tradition of the comic Yankee those who came after him in the same tradition learned to do better. Sam Slick as a Yankee pretender answered well enough the didactic purposes for which he was intended, and as a source of amusement held favor for years after his teachings had been discarded, but no one fashioned another figure in his likeness or made use of anything about him save only his name. In the undeniable profusion of Yankee yarns and Yankee jests which appeared in print following the publication of *The Clockmaker*, there is, to be sure, seeming evidence that Haliburton's success with Sam Slick had encouraged a host of emulators. But the Hiram Dodges, the Jared Bunces, the Jack Downings, and the others of their kind, who had prepared the way for the enthusiastic reception accorded Sam Slick, would of themselves alone satisfactorily explain the unprecedented quantity of Yankee humor turned out from 1835 on for a decade or two. It was Seba Smith in 1830, and not Haliburton in 1835, who principally inaugurated the literary movement of which Sam Slick was perhaps the most notable earlier result but not the cause, and it is extremely

doubtful if there would have been any perceptible diminution in the number of comic Yankees produced in the period mentioned if Haliburton had never cracked a single Yankee joke. The movement itself was important. It marked, as one of its first defenders observed,[52] the establishment of "the independent Republic of American jokedom upon the ruins of a transplanted cockneyism," a statement amply confirmed by the testimony of American jest-books and comic almanacs, which previous to 1830 depended for their contents almost exclusively upon the English *Joe Miller* and similar compilations. There is no indication, however, that the example of Haliburton's popularity affected its progress in the least. Probably neither the time nor the nature of its fruition would have been different if those whose contributions to Yankee humor represent its outcome had never heard of *The Clockmaker*. Moreover, if emulators of Haliburton mean imitators of Sam Slick, then most assuredly Haliburton had none. Palpable composite of his predecessors though he was, Sam Slick nevertheless remained unique. On this point the testimony of the American jest-books and comic almanacs is again conclusive. Among all the scores of comic Yankees who peddled their "notions" through the pages of these annuals from the early eighteen-thirties to the late eighteen-fifties there was not one besides Sam Slick who showed as completely as he did the blended characteristics of the "down easter" and the "ring-tailed roarer." And of course there was no other devoted to the diverse ends of Bluenose comedy and Tory prejudice. The possibilities of Haliburton's affecting the making of Yankee humor after 1860 are too remote to be worth considering.

Of humorists who employed the name "Slick" either

[52] See the quotation from the *Evening Gazette* in *Jack Downing's Letters* (1845), 117, 118.

as a pseudonym or as an added attraction to a title-page there were only three,[53] two known and one anonymous: Mrs. Ann Sophia Winterbotham Stephens, ("Jonathan Slick"), S. A. Hammett ("Philip Paxton"), and "Sam Slick, Jr." The extract given above from *High Life in New York* (1854), concerning *The Letter-Bag of the Great Western*,[54] will serve to clear Mrs. Stephens of any charge of more serious theft from Sam Slick than that of appropriating his patronymic. Consistency in the control of plausible Yankee dialect and the absence of insistent preaching clearly distinguish her book from anything Haliburton ever wrote. Hammett's pretence of bringing Sam Slick back into the realm of humor in *Piney Woods Tavern; or, Sam Slick in Texas* (1858) owes rather more to Haliburton's Clockmaking methods, particularly to those for imparting gratuitous instruction on things in general. Three sociably talkative characters spin yarns in turn, one in standard English, another in the lingo of the South-West, and the third in pure Yankee, which a fourth notes down as told, always with special application to some aphoristic text or wise saw he desires to illustrate. It is the third of these narrators who is presented as the second Jared Bunce,[55] "generally allowed to be the smartest man this side the Sabine," announcing himself as of "near kin" to Sam Slick, and displaying to the full his relative's "amazin' gift of telling stories, that hev plagy sharp pints to 'em." Among tales of a different sort this same Jared

[53] Unless one also includes P. J. Cozans' *Sam Slick's Comic Almanac*, 1857–59, which contains not a single quotation from Haliburton nor a word of any kind to justify its title. *The Life and Adventures of Simon Seek; or, Canada in All Shapes*, by "Maple Knot," features a Yankee agent, one "Mr. Slicker," who in speech and habits somewhat resembles his near-namesake.

[54] See above, 296, 297.

[55] See above, 367.

Bunce has several to relate making interesting disclosures regarding Sam Slick's "curus kind of spekilations," which Sam Slick himself had been too discreet to ever "let on" about to his friend "the Squire."[56] The single volume for which "Sam Slick, Jr.," assumed his scarcely misleading *nom de plume, Courtship and Adventures of Jonathan Homebred; or, the Scrapes and Escapes of a Live Yankee* (1860), contains nothing even faintly suggestive of Haliburton's influence. The dialect, the characterization, and the escapades, are all in the traditions of the "greenhorn" Yankee widely familiar before Sam Slick's day.[57]

Neither on the score of priority nor on that of paternity can the claim that Haliburton was "the father of American humor" be substantiated. He was not the pioneer American humorist. He was not the creator of the comic Yankee. He was not the first to write the Yankee dialect. He was not the earliest to attain exceptional popularity by exploiting the eccentricities of the Yankee genius. He set no fashions in American humor. He inspired no other American humorist. He made no impression, except of the most trivial nature, on the work of another. He effected no change in the traditional character of the "genuine" Yankee. What Haliburton did for the reputation of that worthy, however, entitles him to an honorable place among the many who have resorted to New England caricature as a means of either the entertainment or the edification of their readers. For he found the "genuine" Yankee, though widely known and highly valued, both as a mountebank and a pedagogue, ordinarily little different from a novice's low comedy figure, and though frequently utilized for the purposes of journalistic

[56] See above, 181.

[57] See above, 360–363.

satire and music-hall burlesque, with little more than national appeal, and he left him elevated to the dignity of a recognized standing in the literature of odd types, listened to and applauded by a public that was truly international, and with a fame and favor that give promise of becoming permanent. To affirm that Haliburton, as a humorist, did more is as wholly unnecessary to his credit as it is unreasonably inaccurate and misinforming.

CHAPTER XV

HALIBURTON AND HOWE

Sir Colin Campbell's retirement from the governorship of Nova Scotia [1] was followed by the appointment of the Right Honorable Lucius Bentinck Cary, Viscount Falkland, to the vacant office. The régime of Lord Falkland promised poorly for Nova Scotia's political tranquillity from the start. As the choice of a Whig administration in England the new Governor lacked the confidence of the provincial Tories, and the fact that he came committed to a government of all the talents, rather than one representing solely the majority side of the Assembly, prevented his receiving the enthusiastic support of the reformers. The inauguration of his compromise council marked an improvement, however, upon that to which his predecessors had clung so stubbornly. Four members of the previous Council who belonged to neither branch of the legislature were dismissed, and of those called upon to replace them two were out and out reformers, one of course being Joseph Howe,[2] whose acceptance of a place in the reconstructed executive was conditioned on the appointment of another of his party with him, the incorporation of the city of Halifax, and the understanding that as vacancies in the Council occurred they should be filled only by those enjoying popular approval, and that all members should hold their places only during their tenure of public con-

[1] See above, 289.

[2] The other was James McNab of Halifax.

fidence. The position of both Falkland and Howe proved exceedingly difficult. The former was inexperienced and headstrong, and ignorant of, perhaps out of sympathy with, the somewhat hazily defined principles of Lord John Russell's colonial policy. Unfortunately, too, his connection by marriage with royalty drew about him at once the social circles of the pretentious place-holding class, and he soon came under the influence of personal friends and unofficial advisers ill-qualified to guide him through the treacherous intricacies of Nova Scotian politics. Howe's difficulty arose from his allowing his ambition to be temporarily lulled by a substitute for its complete satisfaction. For the time being, partial responsibility in the government seemed to appear to him as better than none, and it may have been that he was even capable of believing that something less than the revolutionary changes he had fought for would, after all, suffice in the colonies. But from the day he entered an executive so slightly responsible as Lord Falkland's was, his disillusionment began, and he soon learned the lesson that half-way measures please neither friend nor foe. The Tory press libelled him with the jeer of "hypocrite," and the ultra-reformers with the cry of "traitor."[3] What added to the distrust and hostility with which he was regarded as a Councillor was the fact that he allowed himself to be elected Speaker of the House of Assembly soon after being honored by executive appointment. Even though he offered to resign one of the offices at the wish of the Assembly, he was unable to silence the derision of his enemies, who pointed out the incompatibility of his functioning both as umpire and participant with his often avowed intention of modelling colonial governing institu-

[3] See contemporary newspapers, particularly the Halifax *Times;* and Howe's *Speeches and Letters* I, 365, 371.

tions strictly after those of Great Britain.[4] Howe managed, however, to discharge his double responsibilities with honor and credit to himself, and to maintain amicable relations with the Governor and his colleagues in the Council so long as the former kept faith with him. But once Lord Falkland surrendered himself to the control of the reactionaries, hostilities against the system that still permitted him to govern with a dangerous amount of absolutism were recommenced, not to be desisted from until the final action in the last battle for responsible government had been fought through to a finish and won by the reformers. Lord Falkland's first serious affront to Howe was in selecting a staunch Tory for a place vacated in the Council by the death of one of the members. To this flagrant violation of the pledge given them when they took office, Howe and his fellow reformer in the Council responded by tendering their resignations. For a short while the opposition to the Governor which Howe then headed was conducted with moderation, but on Lord Falkland's persisting in his short-sighted obstruction of the reformers' desires and in the use of his official position to discredit prominent members of the party, it descended into a sordid campaign of vituperation and scurrility which for two years raged with an intensity that surpassed anything of the sort before or since in a province notorious for the animosity of its political contests. At the end of that period Lord Falkland retired, fairly pelted out of the country by Howe's superior resources of abusive satire. With Falkland's successor, Sir John Harvey, came eventual settlement of the long struggle of colonial democracy for self-determination in local affairs. The principle of complete executive

[4] Later Howe did give up the Speakership, but only to accept office as Collector of Colonial Revenue while still retaining his seat in the Council.

responsibility was finally and fully confirmed in 1847, by Lord Elgin, Lord Durham's son-in-law, as Governor-General of Canada, and Earl Grey as Colonial Secretary, and under its operation, through the defeat of the Tories at the polls in the same year, the party of reform in Nova Scotia first came into complete departmental control of the government. Provincial Toryism of the old school as a political power was a thing of the past. An Executive Council consisting entirely of reformers, or Liberals as they now preferred to be called, was formed in January, 1848, with Joseph Howe once more in office, this time as Nova Scotia's first native Provincial Secretary.

Haliburton's connection with the chief figures involved in all but the very latest of the changing aspects of Nova Scotian government thus hastily sketched was always close, and at times locally prominent, though never determinative. During the period in which Joseph Howe first held executive appointment, the Courts of Inferior Pleas over one division of which Haliburton presided were abolished by legislative enactment, and Haliburton was elevated to the Superior Court bench, thus furnishing in his own person a conspicuous example of how indifferent to majority claims a government in that day could be in its distribution of favors. It was then that two of Haliburton's better known books, the first and second series of *The Attaché,* were written, each containing his reaction to the drift of the times in the way of belated attempts to bring responsible government into disfavor both at home and abroad. It was then, too, that his quarrel with Joseph Howe reached its heated climax, in all probability adding seriously to the complication of difficulties which the latter's opponents multiplied about him. Throughout the months of furious mud-slinging which followed Howe's withdrawal from the Council, the break between them continued. And it was

not before Howe was returned triumphant to a ministerial portfolio, during the comparative quiet of Sir John Harvey's governorship, that their reconciliation was consummated, to last through without further interruption until Haliburton's permanent removal from the province. Though temporarily broken, and with marked unpleasantness, the friendship between them still remains one of the few redeeming features of inter-party relations in an era of ugly personalities and political backbiting. There were undoubtedly uses made of their intimacy, especially in the period of its resumption, scarcely creditable to either of them, in which selfish rather than public ends were served, and if people said of them, as they probably did, that they were as thick as thieves, the comparison was not made unadvisedly, or without justification. But even so, their relationship, with the exception of the one break mentioned, was always sufficiently pleasing, if only for its cordiality between party antagonists, to afford a gratifying contrast to the customary political enmities of their day. Their close attachment to each other was begun in the years when lines between parties in Nova Scotia were not yet sharply drawn, and Haliburton was electrifying the legislature with his alternate salvos of wit and anger aimed point blank at the venerables of the old Council of Twelve and the upper House, and when Howe, still a reporter, listened so eagerly to the speeches as to neglect his note-taking in the press gallery. In those years Howe was just beginning to question the Tory teaching of his up-bringing, and to grope his way to the conception of a more ideal colonial status than that permitted by the system of theoretical paternalism which amounted to practical neglect; and there is not the slightest question that Haliburton's eloquence in claiming for the colonials full participation in the rights of British citizenship, was what led Howe to accept

the constitution of Great Britain as his model for government in the colonies, nor that Haliburton's fearlessness inspired Howe in making many a fight when only an amazing intrepidity could have saved him from what looked like certain discomfiture. The acquaintance which commenced in the House of Assembly and the lobbies of the Province Building ripened into delightful *camaraderie* in the hilarious sessions of those responsible for "The Club." The united effort of judge and journalist to satirize their fellow provincials into energetic self-improvement, resulting in the contribution of the first series of *The Clockmaker* to Howe's newspaper, carried their fellowship even farther into the sphere of mutual activity. Their common interest in developing a colonial literature and their unprofitable association in publishing ventures had at first a similar effect, though the latter afterwards occasioned part of the ill-will between them.

Of the two men, Howe was incomparably the greater and more gifted. Yet the debt of inspiration was not always Haliburton's. The plan for steamship communication with England, as we have seen,[5] was arrived at simultaneously and in one another's company, but in promoting railway construction for the colonies Howe was the pioneer. If Haliburton, however, owed to Howe the railway policy which he had decided to support, including both the earlier proposal of a local Nova Scotian line, and the later project for an intercolonial system, it was he who gave to Howe, besides an initial impulse towards reform, the twin vision of Imperial federation and colonial representation in the British Parliament[6] which eventually be-

[5] See above, 219.

[6] W. L. Grant, *Tribunal of Nova Scotia,* 108, 109. Haliburton's frequently repeated proposals for colonial members in Parliament was first put forward in *The Attaché* in 1843. See below, 461. It

came the goal of both in their ambition for the motherland and the colonies, notwithstanding that Haliburton came to cherish the first of these alluring dreams only after a preliminary period of pronounced skepticism, and that on at least one ironical occasion he had scouted and jeered at the second under the misapprehension that it was then Lord Durham's.[7] Howe's desire for a provincial university, too, was owing to Haliburton, without a doubt originating in the latter's exposure of the narrowness and dangers of sectarian education as exemplified at his *alma mater*, King's College. On the question of a federal union of the colonies it is not so easy to determine which influenced the other, but from Howe's approval of the hope for its speedy realization expressed in Lord Durham's *Report*,[8] and Haliburton's indignation at the thought of such a thing,[9] it would appear that the younger man at first led the way. But Haliburton arrived at complete endorsement of the confederation idea the sooner. Why Howe should have declined to give it his enthusiastic support when it was most needed is to this day one of the puzzles of Nova Scotian politics. His early utterances on the subject, his natural endowment of statesmanship, his advocacy of a coordinated Empire, and his generally progressive conduct in all matters pertaining to colonial development, all argue that his opposition was only the result of an unfortunate turn of the wheel of political fortune. Had fate given him the opportunity which came to his rivals to champion confederation as a party cause, he would surely have em-

---

was not until 1846 that Howe made a similar though more moderate proposal. He suggested a maximum of 10 members from the whole of the North American Colonies in Parliament, and left unargued the question of their voting without restriction to purely colonial affairs. Howe, *Speeches and Letters*, I, 628.

[7] See above, 249, 250.

[8] Howe, *Speeches and Letters*, I, 217.

[9] See above, 265, 266.

braced it. As it was, he fought it fiercely for a time, only to make an eleventh hour recantation, too late to save his reputation from calumny, and the idolatrous faith which his countrymen had in him from destruction. Haliburton, who usually acted with far less political sagacity, saw rather more quickly than Howe that the confederation of Canada was the surest way to the federation of the Empire they both desired, and, unlike his friend, fell into line with the movement without delaying too long, though he hesitated for a time. And so it happens, that in spite of his early scorn for the idea, and his later doubt as to its wisdom, his attitude towards the formation of a Canadian dominion is now never called in question, while the head-shaking over Howe's conduct has not yet ceased.

As many as were the desires and the convictions they shared in common, Haliburton and Howe were separated by the essential difference which lies between an instinctive democrat and a determined aristocrat. Nothing could better illustrate their complete divergence in respect of fundamental political faith than their opposing views as to the trustworthiness of public opinion. With Howe the common sense determination of a public question by the people was always taken for granted, and he dearly loved a political fight in which the issue could be submitted to the voters. Haliburton, on the other hand, practically denied that the people were ever to be relied upon to make a wise decision, least of all in matters of government, and he hated the very word "politics" by which he meant, of course, the continual agitation for reform of his day and the resultant concessions to popular demands. Though he frequently enough took part in contemporary political disputes, it was nearly always by means of a subterraneous approach, as if he were secretly ashamed of being involved in a thing which he openly condemned. Under almost any circumstances, then, he and Howe would have been

likely to come sooner or later into conflict; amid the stress of party factions representative of liberal and reactionary forces during the struggle for responsible government their collision was inevitable. That they did quarrel, and quarrel violently, has long been known in Nova Scotia, but about exactly what, or just when, there has hitherto been much uncertainty. The recent recovery of some small portions of their probably extensive correspondence, now made public for the first time, removes all doubt as to the cause and date of their disagreements. The former might indeed have been inferred from Haliburton's increasing bitterness towards the colonial reformers, expressed in the *Clockmaker* series and his other books, and culminating in his repeated assaults against the ideal of responsible government, though there were still other than political reasons for his falling-out with Howe not to be so readily surmised, and no accurate idea of the extent to which they drifted apart could possibly have been formed without Howe's statement of his side of their misunderstandings. The first of the letters which follow, written by Haliburton on November 15, 1835, betrays no sign that his regard for Howe had been lessened by the latter's daring attack on the Halifax magistracy. Though it urges upon Howe the wisdom of thinking twice before offering for the suffrages of the Halifax County freeholders, its advice must be accepted as given in the spirit of sincere friendliness:

[Haliburton to Howe]

I see by the papers that there will be a new election. What do you do? There is not much fun in two of them two years running.[10] It is rather awkward I think. I can't help repeating

[10] One must have been the bye-election in Halifax county held in 1835 to fill Charles R. Fairbanks' seat in the Assembly (Belcher's *Farmer's Almanac,* 1835, 39; 1836, 27), and the other the general election of the year following. There was no general election in Nova Scotia between 1830 and 1836.

what I have said before. I do think you won't advance your own interests or influence by going there.[11] Why does a Judge's charge have more influence than an Attorney's speech? because he belongs to *no side*. I fear your paper (always enough on one side of politics) will be thought after your election (for I take that for granted if you offer) a party paper altogether. I fear you will hurt it, and it will hurt you, like a gig that runs over a cow, it kills the animal and breaks the carriage. I say consider well, cypher like Slick, set down the advantages on one side, it will make a deuced small column, and put the disadvantages on the other, and strike a balance. I know nothing so seductive as the request of respectable people to offer a friendly offer to support, a confidence in our talents, a reliance on our power. It is seductive, hard to resist, indeed, but think before you act. I say no more, you will readily see the friend, if I am mistaken in this view, for real friends *only* differ, from us in our favorite projects. If you do offer you have my best wishes, but if you don't I have no fears. Your present career, has no breakers, no quicksands, you have taken the soundings, and know your way, you are an old navigator, tho' you do crack on sail like the devil sometimes, the other voyage, however it may promise, is *after all uncertain.*

If you do start, don't be long, after you make up your mind, in taking the field. I incline to the belief, there will be a general election, from the writs not issuing already — When they do issue, if you do offer, start early, much is lost for want of early canvassing and securing pledges. From what I hear I incline to think that Johnstone[12] will offer, on account of the chair. In all or either case success to you. . . .[13]

[11] To the provincial House of Assembly?

[12] The Hon. J. W. Johnstone, then Solictor-General of Nova Scotia, Howe's almost life-long rival for political honors. Until the advent of Dr. (later Sir) Charles Tupper, Johnstone led the Nova Scotian Conservatives, the lineal descendants of the old Tories, with great fighting skill and a high conception of his duties as a public servant. He was in every way a worthy opponent of Howe at his best. He held successively the appointments of Solictor-General, Attorney General, Premier, Judge in Equity, and Governor of his province, though prevented by death from assuming the last position.

[13] Collection of Judge J. A. Chisholm, Halifax, N. S.

The next letter, written at a time when the consequences of Howe's disregarding the major portion of Haliburton's advice, for good or ill, had become certain, marks what is almost the other extreme of the relationship between them, and points unmistakably to the slurring allusions of the third *Clockmaker* as the proximate cause of their quarrel:

[Howe to Haliburton]

Halifax, Dec. 25, 1840.

Dear H.

In answer to your letter respecting the History, I may state frankly, that I do not feel disposed to adventure anything more in speculations on the work — and, with regard to Bentley,[14] he has treated me so ill, that I shall certainly never write him again, except to draw on him for some 20 Sovereigns he owes me. Your order has not yet come to hand, but when it does, shall be attended to.

I have just finished the 3d Series of the Clockmaker, a copy of which was sent me by a friend. It fully equals my expectations, from the little I heard of it at Windsor. The only other volumes in which my public and private character my principles and friends, have been treated with the same savage bitterness and disgusting personality are the volumes of the Times.[15] Thank God, I have been saved the degradation of presenting the caricature to the public with my own name at the bottom of it. Lea & B.[lanchard] [16] had shipped 200 copies of an Edition, struck off from a sett received from their Agents, but they were shipwrecked on the voyage. I shall order no more, for I would rather beg my bread than sell a copy of it. The price I shall instruct you when to draw for — the lists shall be handed to any body you wish to Superintend the delivery they contain about 700 subscribers, in the different Provinces at a cost of 1/6 each. A business letter, and account current, shall be sent by and by to make things formal.

[14] Publisher of the English Editions of *The Clockmaker,* etc. See above, 200–204, 364.

[15] Of Halifax, N. S.

[16] Of Philadelphia, the publishers of the American editions of *The Clockmaker.*

A great deal of abuse, aimed at me by my *enemies* has come very harmlessly through the common sewers of politics and literature, under my feet. I do not expect to be much more damaged by the good intentions of my *friends*. The former, however, always gave me credit for knowing when I was covered with mud the latter, when they hold me up as a knave, a Simpleton, and a scoundrel expect me to call the passengers to look at the show, and laugh with them at the joke. You and I have been living under strange delusion. I have recovered my senses.

Yours truly
Jos. H.[17]

As to the nature of Haliburton's reply we can only guess, but it was evidently not calculated to salve injured feelings. Rather it seems to have added to the wounds already inflicted by imputing to Howe bad faith and annoyance in carrying out his publishing engagements. Howe's answer in its endeavor to clear up their differences in respect to business transactions fixed the blame for broken agreements where it belonged, and at the same time made good the charge that Haliburton had violated their bond of friendship by the treacherous indiscretions of his latest book. The last paragraph of this genuinely angry letter contains a hint that there was something more, however, than Haliburton's insinuations arising from misunderstood financial arrangements, and *The Clockmaker's* unjustified betrayal of the general claims of good fellowship, that roused Howe to the unforgiving fury of his response. What this other cause for resentment appears to have been, the thoughts of which cut deepest, was Haliburton's flagrant disregard of a special obligation to avoid mean-spirited allusions to his friend, imposed, as it was, by an unselfish service in promotion of his interests, which Howe, at the risk of forfeiting his future success as a party leader, had

[17] Public Archives of Canada, The Private Papers of Joseph Howe.

undertaken on becoming connected with the government as an administrative officer.

In 1837 the unpopularity of the Inferior Courts of Common Pleas in Nova Scotia that had lasted from their formation at the time of the appointment of Haliburton's father to the Bench in 1824 [18] until his own in 1829, had again manifested itself in the House of Assembly when a motion was introduced to make the courts of the province the subject of an inquiry looking to a reduction of their cost.[19] In 1838 the feeling that the province could no longer afford judicial luxuries was given additional expression when a committee of the Assembly which was appointed to inquire into the expediency of abolishing the Inferior Courts of Common Pleas recommended that the number of the Inferior Court judges be reduced from four [20] to two. A resolution accepting the report of the committee was adopted, but no bill was introduced to carry out its recommendations.[21] Haliburton felt keenly the awkward position in which he was thus placed at this time by the deliberations of the Assembly, and addressed a communication to the government in which he offered to resign his judgeship — for a consideration, however, since, as he put it, his "independence of mind" was "not united with independence of means." [22] No attention was paid to his offer. In 1839 a bill was passed in the Assembly having provisions drawn in accordance with the committee's findings of the previous year, but was lost in the Legislative Council.[23] Again in 1840 another bill of similar intent, but

[18] See above, 12, 13.

[19] *Journals of the House of Assembly,* 1837, 117ff.

[20] Cape Breton being excepted.

[21] *Journals of the House of Assembly,* 1838, 268, 317, 318, Appendix 39, 110.

[22] *Ibid.,* 1838, Appendix 64, 154.

[23] *Ibid.,* 1839, 347.

more sweeping in the changes proposed, passed the Assembly. It provided for the retirement of not two, but all, of the Inferior Court judges, on allowances of £300 per year, and authorized the elevation of one of them to the Supreme Court Bench in order that the increased duties of that body might be attended to without an unfair addition to its labors.[24] This bill only failed of enactment because the Legislative Council chose to defer its consideration until the time of the session had so far elapsed as to prevent final action.[25] Haliburton, who had already made several bids for Imperial recognition of his public service, was, notwithstanding the offer to resign which his hurt pride had prompted him to send to the government, hardly the sort of person to accept an enforced and premature retirement, such as was plainly impending, without doing whatever was possible to evade it. During the autumn following the legislative session of 1840, Joseph Howe was called into Lord Falkland's coalition Council, and we may be sure that Haliburton was not reluctant about imploring the new executive adviser to exert the weight of his influence with the Governor to secure for him the appointment to the Supreme Court which was in prospect for one of the Inferior Court judges. In the letter which follows we have what is practically Howe's assurance that his good offices had been so employed (with exactly the results

[24] The details of this bill here given are taken from *The Novascotian's* legislative reports, April 16, 1840, with the exception of the amount named for the pensions, which is not recorded in any of the contemporary official or unofficial records examined. The figure given, however, was that fixed by the act passed in 1841, which finally abolished the Inferior Courts, and is also that mentioned by Howe in his second letter to Haliburton here printed referring to what can only be the terms of the deferred Judiciary Bill.

[25] *Ibid.*, 1840, 799.

which Haliburton desired, so it eventually turned out[26]) but that he had no more than performed the services of a friend in need when he found himself flouted by Haliburton and held up to scorn in the third *Clockmaker*. For Howe it must have been a bitter moment. It had taken a good deal of courage, as well as personal attachment, to urge the claims of a high Tory to preferment, and the only reward had been an insult. To be still further outraged by Haliburton's private taunts insinuating lack of dependability in business was more than the closest friendship could be expected to endure, and Howe was at considerable pains to tell Haliburton that their anomalous relations must come to an end at once:

[Howe to Haliburton]

Halifax, Jany. 2, 1841.

Dear Haliburton,

Yours of the 28th is beside me, and I avail myself of the first leisure moment to reply to it. Looking first at the Business part of it with business thoughts, I must remark, that if any misunderstanding has arisen, the first person who did not know his own mind was yourself. On your return from England you offered me the Colonial and American Editions of the 3d Series [of *The Clockmaker*] at a certain price, I gave it. The MSS. of both[27] were to be delivered here, so as to admit of a simultaneous and independent Sale. The work was to be ready in the course of the Summer. Up to this time £25 was all that had been obtained for the American Sale. I, upon the faith of our agreement, opened a correspondence with Lea & Blanchard, and succeeded in selling the work to them for $400, binding myself to deliver it in the way we had arranged. You subsequently laid aside this work — commenced the Letter Bag, gave the Colonial Edition to Geldert.[28] I sold the American Edition[29] for you to the best

[26] See below, 415.

[27] The colonial and American editions.

[28] Unidentified, but presumably some provincial book dealer.

[29] Of the *Letter Bag*.

advantage — supplied him [30] with the number of copies he wanted for nothing, and took my chance of clearing the cost out of subsequent sales. Your arrangement with me, and mine with the Philadelphia Publishers, remaining all this time in abeyance, because, although there had been *three* parties to the agreement, *one* of them "had changed his mind."

Thus stand [*sic*] the matter, till I passed through Windsor in June, when, after grossly insulting me under your own roof, by telling me I had ridden 100 miles to dine with rebels and vagabonds,[31] and reading several passages of your book couched in the same strain, you began to explain, that for certain reasons affecting yourself and Bentley, you had again "changed your mind" that no Ms. was to be handed to me, nor was I to be supplied with that which I had sold to Lea & Blanchard. Though grievously wounded, and in no humour to discuss business matters, I felt, as I have always done in these affairs, that the first things to be looked to were your reputation, feelings, and interests, and that the business perplexities and arrangements ought to be met by me, and managed with as little trouble to you as possible. I could perceive no reason why the same course which had been pursued with the volume in which yourself and Geldert were interested,[32] should not be pursued with mine,[33] particularly when I was bound to third parties, and must forfeit those $400 by the breach of my engagement, yet it was quite enough that you "had changed your mind" for me to acquiesce, had there been only business views to take of the transaction. To accept your offer to take the Book [34] seemed unfair to you, because I saw clearly that, by the mode of publication you proposed, nothing would be realized from the States, and that you could not possibly clear any thing by the Colonial Sales, equal to what I had agreed to give at least so it appeared to me and neither of us was aware of the £300 offer [35]

[30] Geldert?

[31] Howe had been on tour, speaking in vindication of the address asking for Sir Colin Campbell's removal. Howe, *Speeches and Letters*, I, 327.

[32] The Colonial edition.

[33] The American edition.

[34] Off Howe's hands?

[35] As to what this offer was, or from whom, there is no further clue.

which, if made by a person in earnest, ought certainly to have been accepted for both our sakes. At that rate of purchase[36] nearly double the number of subscribers that a pretty active canvass in Nova Scotia, New Brunswick, and Canada, could obtain for the 3d Series, at the highest price which the volumes will now bring, and more than double what American Copies are sold at here, would be required to pay for Copyright — an equal number would not more than pay, even if this covered, the expense of publication canvas delivery and risk. 500 of the 2d Series were shipwrecked [;] between 2 and 300 remain unsold at the Agencies — so that but 1200 were disposed of in all the Colonies, when the novelty and excitement were highest, and before the publication of the letters to Durham, the Bubbles of Canada, and the Letter Bag, which, it is the opinion of the Philadelphia Publishers, and of our canvassers, have done your reputation a serious injury on this continent, and, for the present, spoilt the sale of your works. This is their report — not my opinion, which need not be introduced here. The indecency of the latter work, more perhaps than the politics of either, is the reason given by both parties. Those reports were in my possession in June, confirmed by a subscription of 700, after a year's Canvass — to throw the work upon your hands, even at your own suggestion, when I had reason to know that a very limited edition would probably be sold, seemed unfair — and I therefore preferred your making your own arrangements,[37] however they might interfere with mine, feeling satisfied that while the sum I was to give was more than you could make, if there was loss, I was bound to bear it, having reaped some profit by the second series.

I was not without my fears, however, from the gross terms in which you expressed yourself at Windsor — from the passages read to me — and, from the whole not being read, as usual, that the Book would but confirm the strong impression of many minds that you would rather caricature a friend than want a character — that the misfortune of a personal intimacy with a politician, was to be atoned for by the most envenomed and virulent abuse of his character, opinions and friends, in order that there might be no suspicion of contamination by the intercourse — and that, in fact, the

[36] *I.e.*, Haliburton's offer to Howe.

[37] For the Colonial edition, Howe to retain his rights to the American?

utter ruin and destruction of an old and devoted associate, was of little consequence, provided those whose newly discovered friendship was regarded as more valuable, were propitiated by the sacrifice. There was enough of what looked very like this in the 2d Book, even after some of the more personal passages were struck out, but you denied the applications, and I forgot them. It was impossible, however, to mistake the passages read at Windsor, or the spirit which appeared to actuate you at the time, and therefore I was left with other materials for doubt and perplexity in addition to those which arose out of the business part of the transaction. Hoping that, before the Book was sent,[38] an opportunity would be afforded me of dismissing or confirming the impression raised by the usual perusal of the whole, and thinking that the best time for explanation, I was driven to weigh the whole matter seriously, by the intimation that the Book was on its way, and that I had better write for copies. To write to Bentley was impossible, as he had answered no letter out of England, and there was no time to order copies through you, — as I could not fulfill my original agreement with Lea & Blanchard, ensure them a preference copy,[39] or even tell them when the work would be sent, I had no alternative, as respected the business part of the affair, but to order copies from them, taking my chance of selling a Book I had not read, and what I more than suspected it would be an utter prostration of public character to have any thing to do with. You will perceive, therefore, that if I did not know my own mind, it was because there was but a choice of difficulties, none of which had been created by myself, and a deviation from an original agreement and ordinary mode of doing business — to say nothing of the apprehension of the £100 note,[40] or some other cause, had infused into the volume a most bitter personal spirit. I have been thus particular in tracing this affair, because you seemed to fancy that the difficulty about the business part of it had arisen out of some eccentricity of mine. To finish this branch of [the] subject, as you will give no directions about the lists,[41] I shall offer them to somebody here, who may import and deliver the

[38] To England?

[39] Lea & Blanchard evidently got a copy for their purposes direct from Bentley.

[40] About which additional information has not been forthcoming.

[41] Of subscribers to the third *Clockmaker?*

Books — as regards our transactions it can make no difference who does this.

This "suppression of the Letter Bag," to which you once referred before, is perhaps one of those trifles light as air, out of which mischief is occasionally made. The fact is, that none of your Books have been much advertized, if advertized at all, not because there was any disposition to suppress them, but because publications are so rare in the Colonies, and the Books being canvassed for before they came out, I have always considered the mere announcement of a new work with the usual comments of the Press, sufficient [;] so far [from] its being suppressed, including what Geldert got, more were sold than there are subscribers for the 3d Series, although a high percentage has been paid for obtaining them. I had a direct interest in circulating at least a good many more than were sold, and there was not much politics in it. If it did not travel as widely as you wished, the reason has perhaps been stated by Lea & B. who write that ["] hundreds of them were sent back to them on account of its indecency," and my Agents give the same account of it. A friendly notice was given of the work in the Pearl,[42] as it was thought more delicate than praise of it in a paper edited by the publisher, and a personal friend of the Authors [.] I presume that the work was well advertised in London, and yet Charles Archibald[43] and others who came out afterwards, declared that it had *suppressed itself* there.

As respects the History, if I am not disposed to be a party to any publication of it,[44] it is because there are many hundreds of the old edition on my hands, in New York, Boston and Halifax, which will not sell at any price, and because I fear to risk any thing more. Though the Copyright, principal and interest, has cost me (about £320) a considerable sum, and the business way for Bentley to do (having pirated one from me already)[45] would be to buy it, I shall certainly not stand in the way of any thing that can benefit you, and have no disposition to obstruct your operations.

If "Book engagements, in this Country, have produced you no profit and annoyance enough," you will probably acknowledge that I have had my share of annoyance, and have had to bear up against

[42] A Halifax weekly magazine. See above, 120.
[43] A prominent and respected citizen of Halifax.
[44] The History had been republished in England in 1840.
[45] See above, 200.

a heavy and irremediable loss, which, coming upon a young man, at the outset of life, would in most cases have been certain ruin. I have been concerned in four of your works — let us see if I have had all the "profit," and *I* [you?] all the "annoyance."

By the History you made several hundred pounds — obtained some reputation and an office — I devoted the leisure of two of the best years of my life, sunk £800, which, with interest for ten years amounts to £1300, to say nothing of the loss, vexations and annoyance, arising from all my little resources being sunk in this vortex for a very long period.

Clockmaker No. I you gave me, considering it of no value. I published it at my own risk and for my own benefit. It brought you reputation — plate — Books — the means of earning thousands, a handsome sum in subsequent arrangements with Bentley, and it brought me about £35.

Clockmaker No. II you pressed upon me, though I offered to buy it. It was profitable — from my being in England expenses were saved, and the bulk of the overplus of too large an Edition were shipwrecked and insured.[46]

Letter Bag — I cannot tell exactly, but believe that the loss on this will about equal the amount made on the first series of Clockmaker.

Of all our book engagements, then one only can be said to have yielded me any thing, perhaps from £250 to £280, rather a poor compensation, I should say, for all the time, trouble, conversation and correspondence, about Books, since the publication of the History — but it came in a shape which has always made me feel uncomfortable about — and perhaps has made you feel that so ample a bonus was a warrant for any liberty. The 3d Series will take nearly as much out of my pocket as the 2d put into it, and the sum which Lea & B. had given,[47] but of course will not pay, will almost balance my accounts, so far as profit and loss go (the dead weight of the History lying where it did) and I shall feel lighter when quite conscious that there is not a dollar of the bonus in my pocket. This closes, as you say, all Book engagements between us, which, I think I may use your own language, and add, have produced me ["] no profit, and annoyance enough."

As regards our friendship, it continued through many years, in which we scarcely differed in opinion — it is time it ended, when

[46] See above, 401. Howe had evidently been given the Colonial rights of this series.

[47] *I.e.*, promised to give.

we hardly hold one sentiment in common. The world is wiser than we were — and judges more correctly. People who hold in utter contempt each others cherished opinions, particularly if they are public men cannot be long friends, unless they are men of no principle. With you "patriotism is the last refuge of a scoundrel"[48] — I believe it to be a virtue, rare it may be, but one which has done more for the world, in a single hour, than all the officials in Nova Scotia have done, or will do, till the day they die. You believe that Dissenters are "Voluntary brutes" — I regard them as Christians, possessed of as much sterling worth as any one who abuse[s] them — you think that all honor, piety, integrity and property are confined to conservateurs and Churchmen, who form but a fifth of the population of the Colonies, and but a fraction of the population of the world. Such notions I regard as too absurd to admit of an argument. You have taken your stand against principles of government which I believe to involve the peace and security of these Colonies, and you think fit to denounce myself, and those with whom I act, as knaves, fools, and rebels, while you pay me the empty compliment, after condensing into a Book all that my enemies say of myself and friends, in the Times, for a year, to occasionally speak well of me to an individual. You deny that you have done this, and yet I can turn to your book and show you phrases put into the mouths of your political villains, which, it does so happen, that nobody in the lower Colonies ever used but myself — acts ascribed to them of which I only have been guilty, and characters drawn which, if they were not intended for me, ought to have had a foot note, to say that Howe was always excepted.[49] In which of the five orders of patriots you place me, I cannot say, but to only one in which I certainly am not, is the one where you place yourself, all the others being rogues or idiots.[50]

But you say I never excepted you in speaking of officials perhaps not — but, if I had said such things as this — "the last refuge of a scoundrel is a Judgeship of the Inferior Court" — "whenever you see a lawyer, hail fellow well met with those who play cards and drink hailstorm[51] at one period of his life, and cutting their acquaintance and abusing them at another — whenever you see one, holding up the authorities of his Country to contempt and ridicule, when it suits himself, and, when he gets an office to stop his want,

[48] See above, 324.
[49] See above, 324, 325.
[50] See above, 313, 314.
[51] See above, 324.

abusing those who follow his example — when you see him herding with his voluntary brutes, because they happen to be the majority, and to please them, threatening to pull the gown off his own bishop's shoulders[52] — and then, turning round upon dissenters, and denouncing them for claiming their rights — you may set him down as a worst [*sic*] and almighty everlasting turncoat and scoundrel." If I had written thus you might well have accused me of departing from the courteous generalities of political discussion, and going out of my way to be scurrilous and personal; and if I had done it, I should have expected you to say to me what I am reluctantly compelled to say to you, that to have one friend the less is far better than to have one who fancies he can take such liberties with impunity.

"Mean minds" have had nothing to do with this matter, nor "excitement" either. The former never influenced my private friendships, and the latter subsides in five minutes after the occasion which demands it has passed. As to the £100 [re]bate, you ought to do me the justice to acknowledge that before giving it, you had stated that you could be quite glad to have £300 a year, and all your time.[53] You well know that to secure for you a more ample and permanent situation, rather than to reduce your emoluments, was generally uppermost in my thoughts, and verily I am repaid. That I shall ever recall my letter or change my opinion, is absolutely out of the question. One tribute shall certainly be paid to our past friendship, but [that?] I shall not publicly resent insults which have been publicly given. I have calculated the extent of the damage the Book will do me and my principles, and expect to survive it. The world is wide enough for us both, and although you have the largest share of it, and cannot miss my friendship, what I have is enough, and I will endeavor to live without yours.

Yours truly

Thos. C. Haliburton. Jos. H.[54]

[52] See above, 112.

[53] This and what follows refers to the Judiciary Bill of 1840, and to Howe's activity in seeing that Haliburton was suitably provided for before the pending bill of 1841 was passed. To the support of the latter Howe as a member of the administration was of course committed.

[54] Public Archives of Canada, Papers of Joseph Howe.

Perhaps excitement had more to do with Howe's state of mind than he was willing to admit. At any rate, before his next letter was written he had undergone sufficient revulsion of feeling to regret having caused Haliburton unnecessary pain. But in this last communication we have regarding their quarrel, he evinces not the slightest disposition to change his opinion of Haliburton, or to retract his sentence that for the future their ways must lie apart:

[Howe to Haliburton]

Halifax, Jany. 22, 1841.

Dear Haliburton,

I regret that any thing in my last letter was capable of being construed into a taunt, or led you to suppose that it was intended to wound your feelings unnecessarily. There was no occasion for any thing of this kind, nor was it meant. You had accused me of fickleness, and a want of frankness in a business transaction — it was necessary to explain all the circumstances in order that you might judge how far such a charge was fair — You had taunted me with the annoyance and little profit which our transactions had produced, and this wrung from me a statement of them, to which nothing else would have tempted me to refer and to the more painful facts of which I had rarely even alluded in an intercourse of many years. You accused me of winking at the suppression of your Book — it was necessary to clear myself of this charge, by referring to the statements of third parties, without which I could not make myself clearly understood. The latter part of my letter was intended to illustrate the difference between the ordinary use of political language, by friends who are so unfortunate as to differ in opinion, and a style of argument and invective so grossly personal and unfair, as to sink the man who tamely submits to it beneath contempt. No person knows better than I "how thickly my life has been strewed" with materials for this kind of sketching — the profuse employment of them by others gives me little uneasiness — but a friend who contracts a habit of either wantonly or unconsciously caricaturing those with whose peculiar lineaments he has grown familiar, is not a very desirable acquisition to our circle. In trying to make you understand how

I conceived that this had been done, and how easy, with no more justice extent [*sic*] in the one case than the other, it might be retorted, it was not my wish that insult or imputation should be conveyed — or that it should be thought that I believed you, what, in imitation of your own style, was painted. We never should have been friend[s] so long had I thought so meanly of you, and therefore I beg you to believe that in performing what I conceived to be a painful duty to myself and you, I was only anxious to convey the impressions under which I acted in a way to make them understood. Upon this point, therefore, let there be no misconception.

As respects to abuse in the Recorder,[55] the common opinion at the time was that it came from a Conservative Delegate to Lord Durham,[56] and that personal attacks on that nobleman and on the writer himself called forth the letters if the suspicion was well founded, then the party could not be the original of your portraits. I thought the writer was a country lawyer who not only never acted with, but had gone out of his way to abuse men — in either case, though I regretted the attacks, I cannot see that you have laid the punishment on the right shoulders. No attack was ever made on you in the House that was not met by a defence from your friends, and the retorts which one of these called forth from myself made for several sessions, a personal enemy of a political supporter.[57]

As respects Mrs. H.[owe] all my assurances were insufficient to convince her that I had not been unfairly dealt with in the 2d Book. She formed her own opinion of the 3d and perused it with painful feelings of the infatuation of that friendship which she supposed would probably pass it over. It [she?] is no politician and no great reason[er], but like most women, can see clearly and feel acutely what deeply concerns the reputation, and touches the feelings of her husband. Had I conducted my public arguments with so little regard to your position, and the friendship which

[55] See above, 208–211.

[56] The Conservative delegates summoned from Nova Scotia were the Hon. J. W. Johnstone (see above, 394) and M. B. Almon. If "common opinion of the time" was right the identification of "Also a Colonist" with Johnstone looks possible. Howe's own opinion glances at the Hon. Alex. Stewart.

[57] Unidentified.

existed between us, Mrs. Haliburton would probably have doubted the sincerity of my profession. Should she blame me, which is probable, she will perhaps do me the favor to seek my justification in the Books themselves. Whether or not she may think it sufficient, will make no alteration in the feelings of respect and regard which I shall ever entertain towards her and her family — to hear of their happiness will always give me pleasure.

Had you been in a position to require my friendship, even injustice could not have forced me to withdraw it — but fortunately, you are so placed that I can respect myself without drawing suspicion on my motives. The pain of this separation nobody can conceive but ourselves, because nobody else knows how much we were engaged together — the world, and all its favors, and the hollow friendships that success may draw around us, can never fill, for either of us, the void which has been made. Farewell — hereafter we shall meet as strangers but I may assure you at parting that though I may long deeply feel what I cannot but regard as the unmerited provocation to this estrangement, I shall rejoice in your prosperity, and be happy to hear that you are surrounded by troops of friends much more sincere and less troublesome than

Yours truly,
Jos. Howe.[58]

Thos. C. Haliburton.

Happily Howe's expectations of continued estrangement were unfulfilled, and his complete reconciliation with Haliburton was eventually effected. It is not to be supposed, though, that it could have taken place before Lord Falkland's ignominious retirement from Nova Scotia, since Haliburton would have been most unlikely to seek a rapprochement with the assailant of the Governor to whom he owed the formal appointment to his highest judicial office, and with whose family his own kept up an intimate social intercourse.[59] Following Lord Falkland's withdrawal, however, came the triumph of responsible government, and the Tories' acceptance of the inevitable and their

[58] Public Archives of Canada, Papers of Joseph Howe.

[59] See below, 414.

disappearance from provincial politics. In the ensuing period of reduced contentiousness and new alignment of parties when there was no longer reason for keeping alive their political animosities, it is probable, therefore, that Haliburton and Howe resumed their former pleasant relationship. A letter from Haliburton to Howe, part of which is here reproduced, though itself undated, serves to fix fairly well the time of their revived friendliness,[60] and to testify to its genuineness. The speech of Howe's to which it refers was his famous address on "The organization of the Empire,"[61] delivered before the Nova Scotian House of Assembly, February 24, 1854, in which while hesitant at the thought of colonial confederation he made his most spirited plea for an immediate federation of the colonies with the homeland. The note which Haliburton mentions as intended for one of his forthcoming books appeared in his *Nature and Human Nature*[62] appended to a chapter in which he goes over practically the same ground covered by Howe's arguments. The portion of the letter in point follows:

"I have had my attention called to your speech on the Union of the Colonies in consequence of the subject turning up incidentally in the new work which goes to England by next steamer. The speech I consider the best ever delivered in any of these Colonies, and the illustrations very happy and well grouped and arranged. I shall refer to it, in a note to my new book, in these terms."[63]

[60] The humorous gossip responsible for *The Acadian Recorder's* "Talk about Town" column, Feb. 25, 1854, credits Howe with saying that he had scarcely moved into the Provincial Secretary's office in the Province Building [in 1848] when Haliburton "was one of the first to drop in, in the most free and easy manner, just as if nothing had ever occurred to interfere with our previous intimacy. One cannot help having a feeling for such a man."

[61] Published in pamphlet form, 1855. See Howe's *Speeches and Letters*, II, 268ff.

[62] First edition, II, 214, 1855.

[63] Collection of Judge Chisholm.

Even after Haliburton had gone to England to live he and Howe continued their renewed admiration for one another. Howe, we know, within a short time of Haliburton's permanent removal to the old country paid hearty tribute to the pleasures which his friend's company had always given in the gay circles of Nova Scotian wits, and pledged a toast to his future happiness in these verses, as well known as any he ever wrote:

"Here's a health to thee, Tom, a bright bumper we drain
To the friends that our bosoms hold dear,
As the bottle goes round, and again and again
We whisper, "We wish *he* were here."

Here's a health to thee, Tom! May the mists of this earth
Never shadow the light of that soul
Which so often has lent the mild flashes of mirth
To illumine the depths of the Bowl.

With a world full of beauty and fun for a theme,
And a glass of good wine to inspire,
E'en without thee we sometimes are bless'd with a gleam
That resembles thy spirit's own fire.

Yet still, in our gayest and merriest mood
Our pleasures are tasteless and dim,
For the thoughts of the past and of Tom that intrude,
Make us feel we're but happy with him.

Like the Triumph of old, when the absent one threw
A cloud o'er the glorious scene,
Are our feasts, my dear Tom, when we meet without you,
And think of the nights that have been,

When thy genius, assuming all hues of delight,
Fled away with the rapturous hours,
And when wisdom and wit, to enliven the night,
Scattered freely their fruits and their flowers;

When thy eloquence played round each topic in turn,
Shedding lustre and life where it fell,
As the sunlight, in which the tall mountain-tops burn,
Paints each bud in the lowliest dell;

When that eye, before which the pale Senate once quailed,
With humour and deviltry shone,
And the voice which the heart of the patriot hailed,
Had mirth in its every tone.

Then a health to thee, Tom! Ev'ry bumper we drain
But renders thine image more dear:
As the bottle goes round, and again, and again,
We wish, from our hearts, you were here!" [64]

Haliburton, in turn, did not, for a time at least, allow his separation from his native province to diminish his interest in Howe. Before the former's final departure for England both friends had forfeited the goodwill of the Nova Scotian Catholics.[65] Late in the year of Haliburton's leave-taking Howe had been so indiscreet as to address a letter through the columns of the Halifax *Morning Chronicle* [66] to his religious antagonists in which he defended the right to ridicule their belief, a practice that had become too common in provincial electioneering tactics. A common antipathy, especially a denominational one, is a poor enough bond of union, to be sure, but it was sufficient in this case to keep alive an amicable intercourse. Writing to Howe from his residence, Gordon House, at Isleworth, England, on January 15, 1857, Haliburton, with a touch of his earlier generous approval of his junior, commended the latter's

[64] The assignment of this poem to the time immediately following Haliburton's withdrawal from Nova Scotia to England is made on the authority of J. W. Longley, *Joseph Howe*, 267.

[65] See below, 433, 434; Howe, *Speeches and Letters*, II, 329.

[66] Dec. 27, 1856.

publicly announced stand against the Catholics, and volunteered a characteristic personal opinion of his own:

"Porter[67] sent me the Chronicle containing your admirable letter to the Catholics. I am delighted you have a seat where they cannot touch you.[68] It is a bold, lucid, excellent letter and I am glad there is one person in the country manly enough to say what all think, but few like even to breathe. It is time they understood other people have rights as well as them [*sic*]." [69]

It is a far call from the churlish spirit of this concluding remark to the devout championship of Abbé Segogne and his co-religionists a quarter of a century before, but the days of Haliburton's tolerance were by this time long since past, and the menace of Catholicism had become with him a veritable obsession.[70]

[67] Unidentified.

[68] Howe at this time was Chief Commissioner of Railways for Nova Scotia. His "seat" was not so secure as Haliburton thought, since on the Liberals being defeated, in part through the Catholics, in a division of the Assembly during this same year, Howe resigned his position as one he could not hold under a party that had not bestowed it.

[69] Collection of Judge Chisholm.

[70] See below, 521–523.

CHAPTER XVI

ON THE SUPREME COURT BENCH

HALIBURTON had come near to losing one judicial appointment by alienating a Governor.[1] He meant to take no such chances with a second. Two means were at his disposal for securing Lord Falkland's favorable consideration of his qualifications for office, and both were probably employed. One, private intervention on his behalf by the Honorable Joseph Howe, has already been noticed.[2] The other, certainly not less partial and scarcely more influential, was the presentation in person of his claims for public recognition. Entrance to his Lordship's immediate social circle was made easy for Haliburton through his acquaintance with Lieutenant-Colonel Charles Richard Fox,[3] who was Lord Falkland's brother-in-law, both having married natural daughters of King William IV, the Ladies Mary and Amelia Fitz-Clarence. Haliburton, we may be sure, made the most of his unusual privileges for cultivating vice-regal companionship, and as long as Lord Falkland remained in Nova Scotia the two exchanged frequent hospitalities, and from time to time they or their families were reported as being engaged in visiting or sight-seeing together about the province.[4] The effect of this intimacy upon Haliburton's future professional career was at once

[1] See above, 150.

[2] See above, 398, 399.

[3] The gentleman who had interested himself in introducing the first *Clockmaker* into England, See above, 201, foot-note.

[4] New York *Albion,* Sept. 14, 1844; *Novascotian,* Sept. 1, 1845.

apparent on the passing of the Act "to improve the Administration of the Law, and to reduce the number of Courts of Justice within this Province, and to diminish the expense of the Judiciary therein," [5] by which the Inferior Courts of Common Pleas were finally abolished. On the very day this Act became law, March 29, 1841,[6] Lord Falkland offered the additional seat it created on the Supreme Court Bench to his new-found colonial friend. Although Haliburton's formal acceptance of the appointment was not signified until some time later,[7] his commission was gazetted on March 31.[8] He was sworn into office on April 7,[9] and made his first official appearance as a Supreme Court Judge on July 10.[10] The salary which

[5] *Acts of the General Assembly of the Province of Nova Scotia,* 1841, 12ff.

[6] *Journals and Proceedings of the House of Assembly,* 1841, 193.

[7] *Ibid.,* 1862, Appendix 6, 15, 56.

[8] *Ibid.,* 6.

[9] *Ibid.,* 56.

[10] *Novascotian,* July 15, 1841. From this time on the confusion of Haliburton with his Supreme Court colleague, Chief Justice Brenton (later Sir Brenton) Haliburton, became exceedingly common. Haliburton was never Chief Justice of Nova Scotia. By his own unwarranted use of the words, "Chief Justice of the Middle Division of the Inferior Courts of Common Pleas" etc., in connection with his name on the title-page of his reprinted History of Nova Scotia, however, when by law his office was designated as that of "First Justice of the Inferior Courts of Common Pleas and President of the General Sessions of the Peace in the middle District of the Province" etc., and was only co-ordinate with that of any other "First Justice" of the colony, he himself contributed to the confusion, which went so far that on one occasion he was publicly congratulated for the honor of knighthood conferred on his namesake, and on another that Sir Brenton, five years after his death, widely chronicled, at the time it occurred, as that of "the author of Sam Slick," was announced as having been elected to the British House of Commons, when the distinction had really fallen upon his former associate on the bench.

he received in his new position was fixed at £560 per year, payable in quarterly installments, "with such Travelling Fees as are now by Law allowed and payable to other Justices, and no other Fees whatever."[11] The pension of £300 per year provided for his retirement from the Inferior Court on condition that no other emolument of equal or greater amount be drawn from the government,[12] of course lapsed automatically before ever it had begun to apply. Sessions of the Supreme Court were held at each of the county-towns twice yearly, and at Halifax oftener. Though each justice was not present at every sitting, the system of rotating attendance required all to traverse the entire province rather frequently, so that on his extended circuits Haliburton must have had a much increased opportunity for first-hand observation of colonial life, and have been able to add greatly to his store of local anecdote.

Haliburton's appointment to the Bench of the Supreme Court was not altogether a popular one, and the circumstances under which it was made could not have proved other than distressing to those most nearly concerned. Within a week of its announcement a letter appeared in the Halifax *Times*[13] from Judge John G. Marshall, senior First Justice of those just retired from the Inferior Courts, earnestly protesting against the effects of its unfairness and

---

(New York *Albion,* April 30 and May 14, 1859.) The identification might be prevented from still further persisting if Haliburton's reply to an inquiry as to whether he were not the same person as the Chief Justice were more generally remembered: "No," he is credited with having said, "There's a 'ell of a difference between us!"

[11] Judges' fees were a vexing problem at this time, and were being abolished as rapidly as practicable.

[12] See above, 398.

[13] April 6, 1841.

irregularity. Though Judge Marshall admitted he had himself applied for the new judgeship, on the day after the Judiciary Bill had passed, he disclaimed all intention of finding fault on his own account, and stated that it was merely in the interests of his profession that he desired to point out that since the Governor had chosen to disregard the rule of seniority in promotions by elevating Haliburton to the Supreme Court over the heads of his Common Pleas colleagues, three of whom were older in judicial service and four higher on the roll of barristers, and among whom no discrimination as to superior attainment could honestly be made, such procedure was likely to tempt members of the legal fraternity to seek advancement through other and less desirable influences than long and meritorious performance of duty. But the really damaging revelation made by Judge Marshall was that Lord Falkland in deciding so important a matter as a Supreme Court appointment had not consulted his Executive Council in its official capacity as an advisory body, and had therefore contravened the whole theory of responsible government under at least the more readily applied principles of which he was supposed to be conducting his administration. For Joseph Howe the situation which this letter disclosed was most humiliating. Compelled to admit that Lord Falkland had not taken his Council into his confidence, Howe attempted to justify His Excellency's conduct as a legitimate exercise of the Royal prerogative.[14] In doing so, he naturally denied himself the right to question the very thing to check the abuse of which was the best excuse he had for his somewhat equivocal presence in the government. What made his position even more mortifying, however, was that his intercession with the Governor in Haliburton's favor[15] had

[14] *Novascotian,* April 8, 1841.

[15] See above, 398, 399.

landed him in the awkward plight of having to defend a special honor for one between whom and himself there had since developed the bitterest enmity. The irony of his predicament was complete when he was moved to argue Haliburton's right to extraordinary public distinction on the score of services rendered his country through his History — and *The Clockmaker!* [16] In a sequence of editorials on the affair in *The Times*,[17] Howe was openly accused not only of treason to his vaunted doctrines of reform, but of entire responsibility for Lord Falkland's selection of a Tory for office.[18] The straightforward denial that would have ruled the latter charge out of the discussion was, of course, impossible, and Howe made only an unconvincing effort to pass it off as nonsense.

Though the excitement over this incident quickly died away, the belief that Haliburton owed his judicial advancement solely to Howe's connivance survived. Unfortunately for both their reputations the impression also persisted that he was professionally ill-fitted for the post thus procured for him. At the time of his retirement from the Bench, fifteen years later, the story was still current that he had obtained his appointment more through favoritism than through worth. "I knew his modest merit," Howe was represented by a witty gossip-monger as saying of Haliburton,[19] "and I drew him unwillingly from his retirement to his present position. You recollect what I told our friends . . . when they doubted the propriety of the appointment. I said that he had *more brains* than all

[16] *Novascotian*, April 15 and 22, 1841.

[17] April 13, 20, and 27, 1841.

[18] Another charge of the *The Times* was that Haliburton had again been politically gagged by judicial appointment. (See above, 150.) This was speedily disproved by the appearance of *The Attaché*, and was heard of no more.

[19] *Acadian Recorder*, Feb. 25, 1854.

the Bench together, and that in less than six months he would master more law." But Howe was made on this occasion also to admit that he was "perhaps a little mistaken" in his expectations regarding his former friend's mastery of legal lore. Other remarks of this same censor of public officials imply that Haliburton's training in law was never highly thought of, nor considered sufficient to qualify him for the place he held.[20] And Nova Scotians to-day rather generally hold to the opinion that as a Supreme Court judge Haliburton was but a very indifferent success.

Expert judgment of his record as a jurist indicates, however, that he deserves rather better of his countrymen than the perpetuation of so slighting an estimate. On all sides it is conceded that his practice as a country lawyer offered little in the way of adequate preparation for his Supreme Court duties and the insignificant cases tried in the Inferior Court not much more. But Haliburton, while not a great judge in any sense of the word, was, in spite of his deficiencies in thorough preliminary training, probably as able as the average of his brethren on the Bench, and among them were some fairly eminent interpreters of the law. Unfortunately the fact that most of his legal decisions were never reported at length may possibly be held to indicate that they were usually regarded as unimportant, but the actual reason that they were not more fully recorded seems to have been his preference for delivering them orally

[20] *Ibid.*, March 18, 1854, April 28, 1855. C. R. Fairbanks' private opinion of Haliburton's legal abilities offers interesting confirmation of these bits of newspaper hearsay. After having discussed Haliburton's qualifications (possibly for some colonial office) with Lord Glenelg, he notes in his manuscript Journal, under date of December 4, 1838: "I took occasion to say that though Haliburton could not be called a first rate lawyer, I have never met a man of sounder judgment or greater talent for correct observation."

rather than for handing them down in writing.[21] This practice of so rendering his professional opinions has precluded, of course, the possibility of their ever being cited in procedure or in compilations of leading cases, or even of their being referred to in determining his rightful standing among his fellows in the judiciary of his time. On this point, however, we have it as the word of an unprejudiced investigator, whose career as a lawyer began early enough to afford personal contact with the reputation Haliburton enjoyed among members of the bar during his period of service on the Bench, that, "Haliburton had a keen judicial mind, and was an able and rigidly upright judge, at *nisi prius* perhaps the best of his day; scorning mere technicalities when they interfered with the administration of strict justice between man and man, and was especially astute and strict in the administration of criminal law";[22] and again that,

> "his constant study of, and keen insight into, human nature, and of the methods and habits of minds of people of every class in the Province, made him a strong judge on circuit, where he was quick to detect and bold to denounce perjury and fraud, and in criminal cases he was proverbially 'a terror to evildoers.' He could show but scant patience to a counsel seeking by technicalities, or by working on the feeling of a jury, to secure the acquittal of a prisoner obviously guilty. He was prompt and decided in the execution of judicial business.[23]

Somewhat different from this estimate of Haliburton the judge, but not materially at variance with it, is this ap-

[21] This statement is made on the authority of Judge A. W. Savary, Annapolis Royal, N. S., and is borne out by the reporter's annotations in Alexander James's *Reports of Cases . . . Supreme Court of Nova Scotia* [from 1853–1855].

[22] Judge A. W. Savary in the Halifax *Herald*, Mar. 9, 1909.

[23] Editorial note in Calnek-Savary's *Hist. Co. Annapolis*, 426.

praisal of his worth on the Bench given by one of his present-day successors in office: [24] "It is no injustice to the memory of this celebrated man [Haliburton] to say that his work as a judge was not enduring. There are no great decisions of his to which we can point as land-marks in the development of our law. Nevertheless he did his work well, and was a long way off from failure. Bright, cultivated and versatile, he could not be a failure." [25]

From among the relatively small number of Haliburton's decisions that remain to us, as important and interesting as any is that in the course of which he considers the prevailing legal custom of following the precedent of decided cases, and condemns it when blindly adherred to. If not strikingly notable, it at least serves to substantiate his reputed independence of thought and conduct as a judge, and is in strict accord with his early staunch opinion on the applicability of English common law to colonial practice as expressed in his History of Nova Scotia: [26]

". . . The unconditional surrender of private judgment to decided cases has drawn down the opprobrium of British statesmen on the study of law; and it has been broadly asserted that its tendency is to cripple and confine the mind. Most of these remarks have more in them of flippancy than of truth. It does not follow that the study of the law limits the mind; but, the mind may cramp itself by the mode in which it studies. If decided cases are immutable, and so considered by the Courts where they are decided, as well as in those of more limited jurisdiction, like our own, we commit the fatal error of surrendering up our judgments to those of other men. But I view the subject in a different light; and regard decided cases not as law — but evidence of law — or expositions of law. Englishmen boast of their common law as though it were peculiar to themselves; we, however, know that a common law extensively prevailed in Greece and Rome, and now has existence

[24] Judge J. A. Chisholm, Halifax, N. S.
[25] *The Green Bag*, VII, 492, 493.
[26] See above, 140, 141.

in every civilised country of Europe, in the United States, and the North American Colonies. That law has been defined by an ancient author of great celebrity to be 'the decision and adoption of certain principles subsequently recognized and sanctioned by the Courts.' He then winds up by stating it to be 'the golden rule of reason.' *Lord Coke* calls it 'the right reason.'

When *Lord Thurlow* was at the bar his practice was to take a case as he found it, and study it up inductively, till he reached his conclusion; when this was done he consulted *Lord Kenyon* — a great case man; and nothing proves more conclusively the value of decisions than the fact that in most instances he arrived at pretty much the same result as that set forth in the cases, although in a large number of instances his conclusions were sounder. Viewed in this light the study of the law so far from limiting, must enlarge the understanding. The common law is elastic, it is remarkable for its plasticity and adaptation to all varieties of circumstances. In a new country like this — changing in its aspects, condition, requirements, with every returning year; where new interests, new combinations, and new difficulties are perpetually arising, it is impossible to apply stringent rules with the same unvarying fixity that marks their applicability to the circumstances of older and more stable countries. How can the same commercial rules be applied to a sparsely populated country — designated only by its latitude and longitude and a few log huts — as apply to Gibraltar or Malta. . . ." [27]

In another of Haliburton's decisions, rendered in a case in which an indictment for felony was quashed on the grounds that the law requiring the residences and occupations of grand jurors to appear in the jury lists had not been complied with, he laid down the principles by which he considered himself and his colleagues governed in discharging their function as a court of law. Judges, according to this opinion, are deprived by the nature of their office from exercising any power of legislation, and colonial procedure thus shows itself to fall in line with English rather than with American tendencies:

[27] James, *Reports of Cases*, 1, 212, 213.

"... My difficulty arises as to the extent of the discretionary power of the Court in dealing with a statute, especially in a case where the legislature has specified its requirements with such minuteness as to demand the insertion on the lists not only of the christian and surname, but of the occupation, residence, etc. I do not stop to inquire whether these are wise and necessary requirements. I am not here to animadvert on statutes but to administer them. I can see many reasons in a small country like this, where there are such strong political feelings and so many local jealousies, why the legislature should have desired to give to every litigant an opportunity of knowing by what jury he is to be tried. As for the discretion of the Court, we have no law making power, nor have we any dispensing power to do away with the express words of a statute. . . ." [28]

Proof that Haliburton actually lived up to the principles enunciated in the two decisions just cited is furnished in still another of his officially recorded legal opinions. In this instance the evidence is the stronger from the fact of his being the one dissenting justice offering judgment. Haliburton, it appears, had previously directed a jury to find for the plaintiff in a trial to recover a sum of money which the defendant, within six years before the action was brought, had agreed to pay "as soon as possible," although the defendant's counsel had argued that proof of his client's promise to thus pay was not sufficient to take the case out of the statute of limitations, without proof also of his ability to pay. At the conclusion of the preliminary trial Haliburton had granted, however, "a rule *nisi* to set aside the verdict as against law and evidence, and for misdirection." [29] This rule was being argued when he gave the decision here quoted. The Chief Justice and his associates, with the exception of Haliburton, had agreed that the case should be settled by the precedent established in the similar case of Tanner *vs.* Smart where the Court

[28] *Ibid.*, 225. [29] *Ibid.*, 258.

had decided that it was incumbent upon the plaintiff to prove the defendant's ability to pay. Haliburton's dissenting opinion has been described by competent authority [30] as more interesting for "the vigor of its rhetoric than on account of the soundness of its law," which is probably true enough from the standpoint of a lawyer, but to the layman its chief interest lies in the thoroughly individualistic mental attitude it betokens, which sometimes, and possibly in this instance, passed over into mere stubbornness:

"I have considered this case well, and remain of the same opinion which I expressed at the trial. I do not look so much to the exact words as to general principles. There have been a host of irreconcilable decisions under the statute of limitations. The objects and principles of the statute seem to have been lost sight of by the Courts previous to the case of Tanner *vs.* Smart, which decides that a mere admission is not sufficient, but there must be an admission from which a promise may fairly and clearly be inferred. This decision was necessary from the previous unsettled state of the law; some of the decisions having held that any promise at all was sufficient to take a case out of the statute, and one on the other hand went the monstrous length of holding, that a fraudulent man who admitted the justice of the claim but declared that he would not pay it should escape under the statute, which was only intended to shield a man who may have lost his receipt, as he would very likely to have done after six years had elapsed, from paying his debt twice over; and to prevent the numerous cases of injustice that would arise from permitting parties to proceed without restriction for the recovery of stale and neglected claims. The Colonial Courts following implicitly these decisions and thus surrendering their discretion and judgment to others, have been dragged through all these mutations.

But although the decision in Tanner *vs.* Smart was necessary at the time, too much has been made of it, and, in fact, whenever it comes up we hear of nothing else. It is applied like Procrustes' bed. If a case is too large for it, a piece is cut off, and if too

[30] Judge J. A. Chisholm, *The Green Bag,* VII, 494.

small, it is stretched to the requisite dimensions. But giving to that case the full force which is claimed, I do not consider that the evidence in this case comes within it. Had the defendant said, 'I will pay as soon as I possibly can,' or 'as soon as I have the means,' it would have been different. But I do not consider, taking the whole evidence together, that the defendant referred to his means at all, as qualifying the promise, when he used the expression. It is a very common expression to say, 'I will pay as soon as possible,' and its ordinary acceptation in such cases is, that a party will pay very soon, if not immediately, and will exert himself to pay it. It does not follow that he did not make a promise which he knew he could not fulfil. This is very often done. Nor is it likely that defendant had reference to the decided cases, and wished to protect himself under them. On the contrary, he used the words in their ordinary sense, and they should be interpreted by the rule that a man is to be understood to use words in their ordinary and popular signification. The witness swears that the promise was unconditional, and such was my own impression which I still retain. The construction to be put on the words is a question for this Court, and if we tie ourselves down too closely to the case of Tanner *vs.* Smart, we are giving to it a legislative authority to which it is not entitled. My own opinion is that it may be called a protrusive decision, advancing far into the power of legislation, and not so much explanatory of the statute as imposing to it additional conditions. . . ."[31]

Only one more of the few decisions which the inadequate stenography of the court reporter caught from Haliburton is of any special value in understanding either the man or the jurist. Delivered upon the application to the Supreme Court for a writ to discharge from custody a prisoner tried for murder and acquitted on the plea of insanity at the time the offense was committed, it shows plainly that with Haliburton the majesty of the law was a real enough fetish, however impatient he may have been with the worship of precedent, and that, like his father before him,[32] he

[31] James, *Reports of Cases,* I, 262, 263. [32] See above, 11, 12.

lived in veneration of its sanctity. Moreover it is a decision that makes it fairly evident that he believed he was seated on the Bench to administer the law, and not to dispense justice — unless it could be effected under the statutes. The defense by which the acquittal of the prisoner in question had been secured had apparently been a somewhat novel one in the colony, and the point raised in the request for his dismissal was whether the Court had the power to detain him after the verdict rendered. The presiding judge at his trial had already refused one application for discharge, and had been upheld in his action by an order from the government. There being no provincial statutes covering the cases, it was finally decided in accordance with the procedure long obtaining in England, and the second application was also dismissed. Vindication of the law, then, rather than a determination of the rights of the prisoner, and his detention rather than an inquiry into his sanity, would seem to have been the main concern of the Court. Haliburton in agreeing with his colleagues that the writ applied for should be denied stated that,

"This application is somewhat in the nature of an appeal from the decision of the government, and I entirely concur that it should be dismissed. The prisoner commits homicide, but defends himself on the ground that he was insane at the time, and, after a most patient investigation, his defense is admitted and he is acquitted on that ground. This is a defense which it is probable will in future very often meet us in similar cases.[33] I do not impeach the verdict, but I find difficulty in coming to the same

[33] That Haliburton's fears were realized appears from a Supreme Court item in *The Novascotian* for Nov. 26, 1855, which reports his impatient remark at a trial recently held before him: "Of course it was a case of insanity — all criminals would be found insane." See also his address in sentencing a convicted murderer, quoted below, 432, 433.

conclusion, and although there may be circumstances to create a sympathy in our minds in favor of the prisoner, we must not allow it to prevent us from administering the criminal law faithfully. I think the discharge on the ground of his sanity, when the jury have found him to be insane, would be a precedent dangerous to the peace and security of the community.[34]

To the novice it looks as though less concern for the safety of the community and more for the fate of the prisoner would, in this case at least, have been conducive to greater respect for the law, but then in such matters of course the novice is not permitted to judge. One may speculate, nevertheless, whether Haliburton on the occasion when he delivered this opinion was not too much influenced by the principle that "crime should be followed with punishment," or even by the maxim that, "he who sheds blood, by man shall his blood be shed," both of which, as he confessed to an English audience after his retirement from the Bench, had guided him in the performance of his duty as a judge.[35] At all events it seems reasonable to conclude that he belonged to the school of jurists which believes in making no concessions to justice that threaten to impair the authority of the statute-book.

In none of his decisions now available, however, does it become manifest why Haliburton should have earned his at present too commonly accepted reputation of having been a comparative failure as a member of the provincial judiciary, nor do the newspapers of his time which record to a very limited extent his charges to juries and addresses to prisoners bear out this certainly erroneous impression. Possibly the one thing that had most to do with its currency, apart from the jests and flings of that portion of

[34] James, *Reports of Cases,* I, 325. The prisoner, it may be worth noting, was later discharged from custody by order of the Executive Council, after a special jury had found for his sanity.

[35] Halifax *Morning Journal,* Sept. 21, 1857.

the press opposed to the political sentiment of his books, was the uproarious lack of decorum which Haliburton is said to have rather frequently maintained in the court-room. It may have been that he thought the double character of Solon and Sam Slick expected of him, but more likely it was merely his innate sense of humor that so often robbed him of the becoming dignity of a presiding officer. His indulgence in the reprehensible habit of punning was simply irrepressible, and if the pleadings and counter pleadings of the day did not furnish the court with some mirth provoking incident, Haliburton was not loath to supply something from his own wit in its stead. Once after listening to a man claim exemption from jury duty on account of his being afflicted with the itch he directed the clerk to "Scratch him!"[36] At another time when a trial was in progress involving a dispute as to certain "drums" of codfish belonging to one Fife, it is related that he convulsed the court with a cheap quip of the obvious variety on the dreary tunes he had been compelled to endure from the fife and drums. Tradition has it that it took very little to upset his proper judicial gravity, and he is still recalled as he usually appeared on the Bench, a jolly sort of Falstaffian justice of pronounced corpulency down whose rotund and florid cheeks streamed tears of uncontrollable laughter.[37] Evidently Haliburton did his best to extract out of it what amusement there was in listening to the misdeeds and misfortunes of others, and when circumstances forbade his communicating his enjoyment to others, he managed to divert himself alone. The story is still in circulation that one of his most prolonged spells of attentive note-taking was productive only of a pencil

[36] F. B. Crofton in *Haliburton: A Centenary Chaplet,* 89.

[37] Personal reminiscences of Judge Savary. See also J. G. Bourinot, *Builders of Nova Scotia,* 62.

sketch of a singularly homely witness who happened to be in the stand during a very dull portion of the proceedings. Once the trial was over Haliburton is said to have added to whatever private fun he derived from his portrait-drawing by showing the result of his artistic skill to the young prosecuting attorney who had been deceived into thinking he had made a tremendous hit with the judge, and so had been encouraged into prolonging the agony of what he thought was proving a brilliant examination.[38] That such an incident was probably no exaggeration upon Haliburton's customary pranks on the Bench is shown by this interesting bit of newspaper correspondence written from Halifax to the Boston *Post* during one of the Supreme Court sessions at the Nova Scotian capital in 1853:

"The supreme court continues to be a favorite lounging place, and has for the last fortnight engrossed the greatest part of the attention of some forty or fifty lawyers, hosts of gossips, loungers, and other people who want to see justice done, besides those who can't help it, including a number of jail birds. Ever since my last, the author of 'Sam Slick' has presided on the bench, and great has been the mirth at his funny sayings and doings. The old fogy shivers the prothonotary on a pun, scatters one council's [*sic*] ideas in a fit of laughter, makes another wish himself dead by cutting the thread of his discourse short with a witticism, and then cracks jokes on the head of the criminal he is sentencing until the poor devil begins to think it all a hoax.

Next we see him, when another judge would be charging the jury, coolly lounging in his seat and deliberately 'firing' at that traditional bulwark of British liberties, leisurely craunching a biscuit at the same time with as much gravity as if his next act was to be his prayers, but ending the proceedings by going off in a complete explosion of broad humor. He is like one of those cursed crackers that boys are so fond of playing with — always going off first when appearing most innocent of any such intentions. It is

[38] Communicated by H. B. Irving, Esq., Chief Clerk, Education Office, Halifax, N. S.

very funny, everybody admits, but some think it not quite so dignified as it ought to be." [39]

But the court room was not the only scene of Haliburton's levity and antic behavior, and he even allowed his joke-making to disturb the solemnity of the judges' chamber. During an adjournment for lunch on one occasion he is reported to have horrified his brother justices by producing a bottle of brandy, for which he had a well defined fondness. As it happened, the colleague who took him to task for his unseasonable indulgence was disfigured by a flaming red nose caused by chronic erysipelas. To his affirmation that if *he* took a glass of brandy at such a time he would be incapable of his afternoon's work, Haliburton returned the mock-serious question, "What, never take a glass of 'the naked truth' for lunch?" "Never," was the righteously indignant reply. "Then you belie the evidence of your sign-board," retorted Haliburton, and was thereafter allowed his own choice of mid-day refreshment without criticism.[40] The repetition of anecdotes similar to those here related of Haliburton was naturally much readier and longer-lived than the less entertaining professional estimate of his standing as an exponent of the law, and, though no one but himself is to blame for them, they are very likely the source of the wide-spread belief that he took his judicial duties anything but seriously.

A further possible cause for the present erroneous conception as to the value of Haliburton's services on the Bench may be traced to the opinions held by the Liberals in Nova Scotia concerning the Supreme Court during his incumbency of office, and constantly reflected in their press. Owing to the successive measures of reform legislation which abolished all claims to judges' fees following the

[39] Halifax *Morning Journal*, Feb. 11, 1853.

[40] Communicated by Judge Savary.

Judiciary Act of 1841, the salaries of the Supreme Court justices appointed before Haliburton were in most cases much reduced, and, according to the frankly expressed belief of some Liberals, it subsequently became impossible for lawyers or clients belonging to their party to obtain impartial treatment in court. William (later Sir William) Young, who afterwards became a Chief Justice of the colony, as Speaker of the House of Assembly went the extreme length of indicting the whole Bench for injustice actuated by the spirit of retaliation, and, although the charge was denounced as unfounded by the local Bar Association,[41] the doubts thus cast upon the faithful performance of the Supreme Court's obligations must have seriously affected the good repute of that body. Bad blood between the Liberals and their opponents led, too, to charges of the judges dragging the ermine through the mire in the political campaign of 1847, when they were blamed for having thrown the weight of their influence on the side of the Conservatives. How far Haliburton personally was implicated in these accusations cannot now be learned, but he must have had to bear his share of the opprobrium whether at fault or not. Party memories are notoriously persistent and in a province where the Liberals have retained political power almost continuously since 1848 the prejudices formerly aroused against a Tory judge have long outlived any credit he may have deserved.

Another side of his conduct while Supreme Court judge, and one just as truly habitual, though now completely overlooked, was Haliburton's frequent recourse to eloquent, well-rounded oratory, of the repentance or pathos producing type. If he fell easily into merriment, he plunged readily into melancholy, and he had the power of dragging his auditors with him into either extreme. Of a certainty

[41] *The Standard and Conservative Advocate,* April 9, 1847.

the effect of his command of moving appeal must have made him what he has been called by one who remembers him personally in his jovial mood, but who also was familiar with his reputation for sternness — "a terror to evil doers." [42] The conclusion of a reporter's account of a trial presided over by Haliburton probably reflects a grimly amusing light upon many at which he sat: "The learned judge summed up making a most powerful and beautiful address. Verdict guilty." [43] And it was doubtless while in full command of so highly effective a style of persuasion that Haliburton received this additional slight mark of journalistic approbation: "The following day Justice Haliburton proceeded to pass sentence of death, which he did in a very impressive manner." [44] How "very impressive" his manner could be when engaged in so painful a task another newspaper item makes unmistakably clear. Imposing the extreme penalty upon one William Syme, a soldier convicted of murdering a companion-in-arms, he is reported to have delivered himself as follows:

"You have been indicted for the crime of murder. That charge has been submitted to a highly respectable and intelligent Petit Jury, in whose fairness and impartiality you must have placed entire confidence. In this country the crime is an unusual one, and if not clearly made out the Jury would not have found you guilty; you have pleaded insanity. The Court and Jury after anxious deliberation nullified that plea. The Jury have not concurred in the plea of your insanity. Neither do I believe it. I shall say nothing about the law of the land; but the law of God is 'thou shalt do no murder'; and you have sent an innocent and unoffending man into eternity. Illness prevented my attendance when the Jury gave their verdict; but had I been present, I should have asked upon what ground they recommended you to mercy. Having repudiated your plea, and found you guilty, it must have been on the ground of their Christian sympathies for degraded

[42] See above, 47 and 420.

[43] *Novascotian,* Dec. 1, 1845.

[44] *Novascotian,* May 3, 1847.

humanity. I shall not refer this matter to the government, I assume full responsibility, however terrible or afflicting to me in the discharge of my official duties. You must die, your days are numbered; and I implore you to make peace with that God before whom you are to appear, and during the interval between this and your execution to send for a clergyman of the denomination to which you belong, and ask his prayers on your behalf. To let you loose upon Society would be subversive of all order and military discipline. It now remains for me to pass upon you the sentence of death; that you William Syme be taken from hence to the place from whence you came, from thence to await the time and place to be named by the Lieutenant Governor, and there to be hung by the neck until you are dead; and may God have mercy upon your soul." [45]

On the Bench, as in the Legislature, Haliburton disclaimed all desire for popularity. "I am not a popular judge and never wish to be," he is remembered to have declared of himself.[46] And there is evidence to prove that he spoke with entire sincerity in the fact that rather than flinch in carrying out to the letter his interpretation of the law he was prepared to sacrifice the good-will of a large section of the public upon whose esteem at one time he had seemed to place a rather high valuation. In the well known case of Canten *vs.* Walsh *et al.* in which the plaintiff, an excommunicated Catholic, brought suit against St. Mary's Cathedral, Halifax, for being denied access to the pew of which he was the legal owner, Haliburton ruled that the rights of a Roman Catholic as a British subject may not be restricted by ecclesiastical authority. Excitement at the time the trial was concluded ran high and trouble impended, but Haliburton cleared the court-room and delivered his verdict. The decision, termed "a very able one," [47] earned for him the enmity of the Nova Scotian

[45] Halifax *Morning Journal*, Dec. 13, 1854.

[46] Authority of Judge Savary.

[47] By R. G. Haliburton in *Haliburton: A Centenary Chaplet*, 22.

Romanists, some of whom were powerful enough to make their influence afterwards count heavily against him. Haliburton, however, remained as fearless in condemning their infringements on the privilege of provincial citizenship as he had once been eloquent in securing to them its full enjoyment, and in his extra-judicial capacity returned their hostility with interest.[48]

In spite of all his court-room buffoonery and merriment, Haliburton during the period of his service on the Supreme Court Bench was far from being cheerful at heart. Certain of the causes which contributed to the development of his spirit of bitterness and melancholy throughout this stage of his career have already been mentioned, his estrangement from Joseph Howe, the removal of the last vestige of party power from his once influential friends, the ignominious recall of the Governor to whom he owed his appointment, the open questioning of his right to the position bestowed upon him by vice-regal caprice, the grave doubts cast upon his judicial qualifications, the political distrust of the impartiality and honesty with which he discharged his duties, and the unreasoning opposition of disappointed litigants. (If another cause may be anticipated at this point, there was also the angry criticism of the views expressed in his later books.) But the one event above all others that colored the outlook of his years as a Supreme Court justice with prevailing gloom was the death of his wife, which occurred in 1841, within a few months of his elevation to the highest honor he ever held in his native province. From the time of this bereavement may be dated not only the dissolution of his dreams of a happy old age at Clifton, and his gradual loss of interest in his home at Windsor, but also the marked cessation of the deep concern he had formerly manifested

[48] See above, 413, and below, 522, 523.

in the well-being of his fellow colonists. A single sentence from one of his letters, written to Judge Parker in 1844, discloses, perhaps more clearly than anything else that remains to us of his intimate self-revelations, what was truly the dominant mood of the remainder of his life spent in Nova Scotia:

"The truth is that a desolate heart, blasted hopes, and a dreary future have taught me that we have little to expect here, and that though the form and mode of affliction may vary, come it must in some shape or other, and that none of us can hope for exemption from a lot common to all." [49]

[49] A. Wylie Mahon, "Sam Slick's Letters," *Canadian Magazine*, XLIV, 76.

CHAPTER XVII

SAM SLICK ABROAD

During the summer of 1843 Haliburton obtained sufficient remission of his duties as Supreme Court judge to enable him to visit England once more. While abroad he added the finishing touches to the first series of his *Attaché* and saw its two volumes safely through the press.[1] In September he returned home [2] "on urgent private affairs," [3] but after a three months' stay was apparently abroad again on a similar mission in connection with the two volumes of the second series. With *The Attaché,* which presents Sam Slick in England, as its title implies, a member of the American legation "to the court of Saint Jimses," Haliburton carried out one, perhaps the main, though deferred, intention of his tour of the homeland in 1838,[4] and achieved double fulfillment of *Blackwood's* wish of half a dozen years before,[5] by following both alternatives of its suggestion that he either come to England and cauterize the running sores of parliamentary and ecclesiastical evils there with the burning-iron of his wit, or turn his attention to Canada, "that country, to which Radicalism, Popery, and the guilty ambition of the United States

[1] *The Attaché, or Sam Slick in England,* first series, I, dedicatory note, and II, 289. The references are to the first editions of both series.

[2] *Novascotian,* Sept. 25, 1843.

[3] *Attaché,* second series, I, 1.

[4] See above, 217. The announcement at the close of the third *Clockmaker* indicates that *The Attaché* was in hand in 1840.

[5] See above, 207.

look with a combined hatred of British feelings and Britain." [6] But however well suited for the post of mentor in extraordinary to the English public, or that of special informant concerning the French-Canadians, a Tory colonist may have once appeared to an old country periodical of traditionally kindred spirit, it must have become painfully obvious that, from the same point of view, Sam Slick was not the man for the job. In the colonies he had proved well-nigh incapable of management as a spokesman of reaction, in England he would have been a preposterous absurdity. Therein lay Haliburton's difficulty in making his *Attaché* effective. To dissociate himself from Sam Slick was impossible.[7] "When he [Sam Slick] ceases to speak," he said, "I shall cease to write." [8] Without the services of his principal creation he was practically powerless. And never did Haliburton stand more in need of a "humorous cover." The plan of *The Attaché* was most extensive, nothing less in fact than

> "to pourtray character — to give practical lessons in morals, and politics — to expose hypocrisy — to uphold the connexions between the parent country and the colonies, to develope the resources of the province [of Nova Scotia], and to enforce the just claims of my countrymen — to discountenance agitation — to strengthen the union between Church and State — and to foster and excite a love for our own form of government, and a preference of it over all others." [9]

With such an arduous undertaking before him, it is little wonder that, in order to attain his objects, he "found it

[6] *Blackwood's*, XLII, 677.

[7] Witness the amusing, and fairly common, error which reports Haliburton *himself* as being a member of the American legation in London. See *Illustrated London News*, July 15, 1843; *Men of the Time* (New York, 1852), 250; etc. etc.

[8] *Attaché*, first series, I, 7.

[9] *Ibid.*, second series, II, 288, 289.

expedient so to intermingle humor with the several topics, as to render subjects attractive that in themselves are generally considered as too deep and dry for general reading." [10] Yet Sam Slick as a medium for enforcing the moral of such a multitudinous array of commendable purposes and devout instruction was plainly inappropriate in England. In Nova Scotia he had served well enough as the exemplar of business energy and acumen to sting the Bluenoses into a sense of shame for their laziness and gullibility, but as a democratic and official representative of his "free and enlightened" country among the English, he would naturally single out for sharpest criticism the very things for which Haliburton himself professed the greatest admiration. To discard him entirely would be to sacrifice the character which constituted his begetter's best claim to literary recognition; to subdue his national prejudices would be to do violence to his habitual freedom of comment; to employ him with full license would be to run the risk of offending those whom it was most desirable to conciliate. As a means of avoiding the quandary which Sam Slick's then well established popularity thus presented, Haliburton reduced him from the rank of a grotesquely expository philosopher to something nearly approaching that of a mere entertainer, and, to a great extent, substituted the observations of the Rev. Mr. Hopewell [11] when wisdom rather then diversion was required, or volunteered sentiments still more palpably his own as those of Squire Poker. But though the piety, not to mention the politics, of the Rev. Mr. Hopewell may have been entirely laudable as an object lesson to a people fast drifting into dissent and infidelity, it did not save him from being a somewhat dull and doddering old man. And as Squire

[10] *Ibid.*, second series, II, 289.

[11] See above, 181.

Poker, in so far as his utterances were concerned, was but little better, whatever *The Attaché* gained by virtue of consistency between character and sentiment was lost in interest. That, however, was not the worst of being unable to permit Sam Slick to function fully in his former approved capacity. Even subordinated, he was the source of constant trouble. To make him at all like himself in England it was necessary to allow him, when he did speak, to say what a typical shrewd Yankee might be expected to say there. The result was that Haliburton found himself obliged to hover nervously about every statement of this perverse creature of his invention, apologizing and rectifying for fear of giving offense when the only purpose was to amuse. Not only was he puzzled to find political opinions adapted both to Sam Slick's characteristics and his own ends, but even in the choice of subjects for casual criticism he was embarrassed, due to his owing much that he had done and seen in England to the kindness and hospitality of his friends there. And above all things Haliburton was determined to avoid what in his estimation was the base ingratitude of such books as Cooper's *Gleanings in Europe* and Dickens' *American Notes*.[12] If Sam "faults" the English climate for its excessive humidity, Haliburton hastens to assure us that for himself he regards it as healthful and pleasant, since it admits of much out-door exercise, and is productive of

[12] The supposition that Haliburton wrote *The Attaché* as a "retaliation" or "rejoinder" to Dickens' *American Notes* (see A. H. O'Brien, *Haliburton, A Sketch and Bibliography*, 9; Pelham Edgar, *Cambridge History of English Literature*, XIV, 348) is absolutely groundless. Haliburton did, indeed, profess to nourish a resentment against Dickens for his treatment of the New World, but his intentions were as far as possible removed from scoring off his grudge by writing such a book about the English as Dickens had written about the Americans.

exceptional verdure and beauty of landscape. If Sam Slick reports the company of English country houses as unintelligent, inactive and tiresome, Haliburton explains that as a week-end guest of English hosts he personally has been fortunate in encountering only vivacious fellowship quite as enjoyable as the weather. If Sam Slick declares "dinin' out here, is both heavy work, and light feedin'," [13] and that English society is "monstrous stupid," [14] Haliburton replies, "My own experience is quite the reverse. I think it the most refined, the most agreeable, and the most instructive in the world." [14] If Sam Slick describes being entertained by English aristocracy as something that "might do for a nigger, suckin' sugar candy and drinkin' mint-julep," we are at once told by Haliburton that his description is "exaggerated." [15] Upon only one opinion of this sort is Sam Slick allowed to go uncontradicted, and that is that "a swoi-ree is the devil, that's a fact." [16] Instead of trusting his readers' good sense to make the adjustment between Sam Slick's ludicrous hyperbole and a fair degree of the truth, Haliburton felt himself impelled to unsay most of the former's comic remarks at the expense of the English, or at least to disclaim any personal responsibility for them, so that he destroyed much of both the sincerity and merriment of his book. To make up its deficiency in fun he introduced into the second series a hero in "military life," Sam Slick's father; but Colonel Slick with his reiterated references to his waiting till he saw "the whites of their eyes" at Bunker Hill was a poor substitute for his son as a mirth-maker. Haliburton's final difficulty in presenting Sam Slick in England was to make his presence there as an *attaché* at all convincing. In Nova Scotia he had fitted well into the native setting,

[13] *Ibid.*, first series, I, 260.
[14] *Ibid.*, first series, II, 2.
[15] *Ibid.*, first series, II, 131, 132.
[16] *Ibid.*, first series, II, 198.

his kind was by no means unknown in the province, he was part of its much praised "natur," and, in spite of his being a caricature, among the colonists he passed as the "real thing." In England, however, not even his proudly displayed legation button could save him from being recognized as an absurd and presumptuous impostor, as Haliburton in the end admits by starting him off on his clock-peddling once more, this time among the Chinese. As if these limitations upon Sam Slick's effectiveness and plausibility were not enough to ensure for him at least a specious and doubtful welcome upon his reappearance in *The Attaché,* Haliburton ignored the promise with which he began the book, "I shall not wiredraw my subjects, for the mere purpose of filling my pages," and prolonged his commentary to the excessive length of four volumes. In consequence of this prolixity some of Sam Slick's most laughable "bams" and raciest anecdotes are buried in such a mass of prosiness, that the leaven of their sorely needed lightness is only to be come at laboriously. Garrulity, the chief, but not the only fault of *The Attaché,* is so pronounced that it alone would have proved disastrous to the book's permanent appeal. Haliburton made the fatal mistake in its preparation of taking himself too seriously as an author, and imagined that the world was ready to hear him discourse at length on things in general. He repeatedly proclaims the wide popularity of his works or calls attention to the obligations and privileges of an extensive circulation.[17] Progressing grandiloquently through his new volumes, he doffs his hat, as it were, at every turn in acknowledgment of past or future plaudits. A minor success had spoiled him. Cured all too well of any previous lack of self-confidence, and as devoid as ever of the

[17] See *Attaché,* first series, I, 7, 8, 88, 228; II, 56, 195, 285; second series, I, 4, 14, 17, 150; II, 115, 209, 243, 275, 285, 290, 291.

requisite good taste for the task of combined divertisement and didacticism, to which he had appointed himself, he padded his chapters with exhibitions of private feelings and unpardonably vapid wordiness, which formerly he would never have thought of printing and which could only emphasize his critical shortcomings. Though *The Attaché* was Haliburton's most ambitious effort to sustain his unexpected reputation as a philosophic humorist, and in his own estimation [18] the most satisfactory up to the time of its publication, it fell distinctly behind *The Clockmaker* in point of both originality and importance. It marked, indeed, the beginning of its author's failing creative powers. As the London *Spectator* [19] said in its review of the first series, Haliburton had reached "the poorest of all repetitions, that of repeating himself."

The Attaché, however, is not without decided interest. Based on diary impressions [20] which Haliburton kept of his third visit to England, it supplements more completely than any other of his works the tantalizingly brief glimpses we get of him abroad in 1838 through the Fairbanks Journal and other sources of information. It is in this book, for instance, that we learn that his lodgings in London were at number 202 Picadilly,[21] and it was in all probability while at this address that he was deluged with materials for his *Bubbles of Canada*.[22] By way of a good

[18] As confided to Judge Parker in a letter written when *The Attaché* was about ready for the press; "I have another book written in two volumes. I think it my best decidedly. It is a second and last series of the 'Attaché,' and terminates my clockmaking." A. Wylie Mahon, "Sam Slick's Letters," *Canadian Magazine*, XLIV, 78.

[19] July 15, 1843, 665.

[20] *Attaché*, first series, I, 166.

[21] *Ibid.*, first series, I, 165; second series, II, 129.

[22] See above, 242.

turn for the patient submission of his hosts there, a Mr. and Mrs. Weeks, to the congestion which the seven hand-cart loads of blue-books dumped suddenly into their rooms must have caused, he recommends them to the kindly patronage of his readers.[23] The gentleman to whom *The Attaché* is dedicated, Edmund Hopkinson, Esquire, at whose "hospitable mansion," at Edgeworth, Haliburton spent "many agreeable hours," was evidently the friend he was off to see in Gloucestershire just before the commencement of *The Bubbles*.[24] The son at school on the Continent, to visit whom "the Squire" obtained passports at the Belgian Consul's office,[25] was none other than Haliburton's eldest boy, "Tom," then studying music in Germany, though Georgina Haliburton records[26] that the two met in London. The broad hint that "Cunard's steamers" should bring Sam Slick's "Old Clay" across the Atlantic free of charge[27] is an obvious reference to Haliburton's services to the founder of the famous steamship company in inducing the British government to award a contract for improved transportation between England and the colonies.[28] The two "orders" for Sam Slick's and Squire Poker's admission to the House of Commons[29] would appear to be identical with the passes that first admitted Haliburton and Fairbanks to the parliamentary debates at Whitehall, for the two pairs report that while they heard no "great speakers," they were recompensed by a look at "Mr. Peel, Ld. John Russell — and all the

[23] *Attaché*, second series, II, 129.
[23] See above, 243, extract from the Fairbanks Journal.
[25] *Attaché*, first series, I, 241.
[26] In her manuscript account.
[27] *Attaché*, first series, II, 205.
[28] See above, 219, 220.
[29] *Attaché*, first series, II, 133.

great men of both sides."[30] To one of the numerous holiday trips mentioned by Haliburton[31] up the Thames to Greenwich or to Blackwall, with lunch on "white bait" at the latter, Fairbanks must refer in his Journal entry which notes their invitation to dine "about a fortnight hence at Greenwich."[32] And Haliburton's allusion to the rare conversational abilities of "some very remarkable persons, who are the pride and pleasure of every table they honour and delight with their presence"[33] can only be to those memorable evenings spent with Barham and Hook at the Athenaeum,[34] since it is coupled with a lament for the "unkind notice" of the latter's untimely death and the betrayal of his confidence that would not have occurred had his biographer applied for his facts to those who "will not fail to recollect your [Hook's] talents with pride, and your wit and your humour with wonder and delight."[35] In and about London, Haliburton seems to have seen the usual sights, the Queen on horseback in "the Park," Celeste and Fanny Estler at the theatre, La Blache and Grisi at the opera,[36] Westminster and The Polytechnic,[37] the Tunnel and the Tower,[38] "Babbage's machine, and Bank governor's machine, and the Yankee woman's machine, and the flyin' machine, . . . and flower-shows, and cattle-shows, and beast-shows, and every kind

[30] *Ibid.*, first series, II, 134, and the Fairbanks Journal, entry for June 11.

[31] *Ibid.*, first series, II, 68; second series, I, 108.

[32] Fairbanks Journal, entry for Monday, Nov. 12.

[33] *Attaché*, first series, II, 4.

[34] See above, 222, and Fairbanks Journal, entry for Friday, July 22.

[35] *Attaché*, first series, II, 5.

[36] *Ibid.*, second series, I, 40.

[37] *Ibid.*, second series, II, 127.

[38] *Ibid.*, first series, II, 19, 20.

of show," [39] all to his unbounded satisfaction in the Empire's metropolis as the greatest city in the world.[38] His attendance at Tattersall's [40] and the Ascot races [41] was, perhaps, more out of the ordinary, and his ecstasy over them peculiar only to one with so great a love of horseflesh as he always showed himself to have. Outside of London he had been the round of conventional watering-places, where the combined pursuit of husbands and health had thoroughly disgusted him.[42] In Ireland the Lake of Killarney moved him to attempted raptures,[43] but in Scotland Loch Lomond and Loch Katrine proved disappointments, and were again declared to have been "bedeviled by poets." [44] Scotland, however, provided at least one interesting object for both Haliburton and his readers, though there was regret in it, too, for the former, in the family church and burial place of the Mertouns from whom his grandfather had claimed descent.[45] Of the hopes which Haliburton most fondly cherished while abroad one almost certainly was that he might definitely establish his connection with his supposed Scottish ancestors.[46] "I was desirous," he writes of his principal reason for going to Scotland, "of visiting the residence of my forefathers on the Tweed, which, although it had passed out of their

[39] *Ibid.*, first series, II, 124, 125.

[40] *Ibid.*, first series, II, 200.

[41] *Ibid.*, first series, II, 33.

[42] *Ibid.*, second series, II, 154ff.

[43] *Ibid.*, second series, I, 161; and below, 471.

[44] *Ibid.*, second series, I, 161; and above, 294.

[45] See above, 4, foot-note.

[46] See account of his meeting James Haliburton, alias Burton, in Georgina Haliburton's manuscript account; the Fairbanks Journal's reference to his researches into colonial family records, entry for Aug. 16; and his own numerous proud allusions to Scotland as the place of his ancestors' birth.

possession many years ago, was still endeared to me as their home, as the scene of the family traditions; and above all, as their burial place." [47] Doubtless the carefully drawn description in *The Attaché* of the old rectory and church, with its monument to the "Mertons," dating back to 1575, had for its original what he saw as the reward of this pious pilgrimage.[48] Frustrated in his ambition to prove distinguished relationship, and apparently making light of his failure in his account of Sam Slick's father's vain search for a title,[49] Haliburton, nevertheless, never abandoned his belief that he was rightfully a member of the Scotch family whose name he bore and to the very last retained his use of their crest and motto, "Watch weel." [50]

In an entirely different category of personalia are the bits of insight which *The Attaché* affords into Haliburton's attachments and aversions. Shakespeare and Milton were evidently no favorites of his, largely because academic culture in its tyranny determined that they should be.[51] Wordsworth he claimed to love as "a child of nature," but a better reason was very likely that the poet had written some lines lending themselves readily to his purpose of rendering adulation to the Queen.[52] Campbell, whose funeral he attended in the Abbey, he pretended to mourn, but whether it was not more for the sake of the contrast between the honor he wrongly supposed denied the recently deceased poet in life and that done him in death, than for any real sense of loss, is a question — [53] or, still more

[47] *Attaché,* first series, II, 267.

[48] *Ibid.,* first series, I, 204.

[49] *Ibid.,* second series, II, 178ff., 253.

[50] Both were incorporated in the coat-of-arms of his son, Lord Haliburton.

[51] *Attaché,* second series, I, 36, 37.

[52] *Ibid.,* second series, I, 89.

plausibly, of that between the officers of government and Bentley, the publisher, as patrons of literature. "Oh! that's the patron," he exclaims of the latter, "The great have nothin' but smiles and bows, Bentley has nothin' but the pewter — and that's what I like to drink my beer out of. . . No *pleasures of hope* with him; he *is* a patron, he don't wait for the pall. Peel, sportsman-like, is in at the death; Bentley comes with the nurse, and is in at the birth." [54] Bentley repaid him handsomely for the compliment by a grossly flattering article in the *Miscellany*, ostensibly inspired by *The Clockmaker's* merits.[55] The neglect of Gray, Mason, Mickle, and Burns while living was also lamented, but with no more real feeling.[56] For Dr. Johnson's independence of patrons Haliburton's admiration was mingled with condemnation for "the meanness of seven years' voluntary degradation," a wise conservation of praise that permitted a necessary distinction between literary and political patronage, the former being something an author is better off without, though the latter is essential.[57] His dislike for Cooper and Dickens extended to the whole order of travel-book makers, though he made a single exception in favor of Washington Irving's *Sketch Book*, — "like a Dutch paintin', it is good because it is faithful." [58] His most personal, as well as his most violent, antipathy in *The Attaché* was expressed in a towering rage conceived against a certain happily unnamed companion of his school days,

[53] *Ibid.*, second series, II, 4ff.

[54] *Ibid.*, second series, II, 7–9.

[55] See the statement quoted from this article, 351, above, for a sample of its exaggeration.

[56] *Attaché*, second series, II, 17.

[57] *Ibid.*, first series, II, 25–31.

[58] *Ibid.*, first series, I, 237.

resident in London, from whom he had failed to receive the friendly recognition to which he considered their former fellowship entitled him.[59] Politicians and lawyers he classed with spiders, mischievous as schemers, and warned against all three.[60] Why he should have turned against his own former profession does not appear, unless it was because the step from law into politics was one too easily taken, as he himself had found out.

Of Haliburton's curious habit of inconsistency examples are more than usually common in *The Attaché*. Though it may have been the castigation received from Joseph Howe for his misuse of personalities[61] that led to his professions of an endeavor to avoid in this work all allusions to private persons, "as far as it was possible,"[62] one mistrusts, for instance, for whom he meant this remark anent the irresponsibility of the American and colonial press: "In America, a bunch of quills and a quire of paper, with the promise of a grocer to give his advertisements for insertion, is all that is necessary to start a newspaper upon . . . it is the case in the provinces also . . . take up almost any Transatlantic newspaper, and how much of personality, of imputation, of insolence, of agitation, of pandering to bad passions, is there to regret in it?"[62] and one associates without hesitation this opinion with the same person: "In those days [of the Duke of Kent in Nova Scotia] abusin' and insultin' a Governor, kickin' up shindy in a province, and playin' the devil there, war'nt no recommendation in Downin' street." The following thought, which also glances at Howe, differs pleasantly, however, from the bitter spirit shown towards him in the

[59] *Ibid.*, second series, II, 109ff.
[60] *Ibid.*, second series, I, 68, 70.
[61] See above, 404–408.
[62] *Attaché*, first series, II, 287.

third *Clockmaker:* "If there is a feller everlastin' strong in a colony, don't make it his interest to wrastle with a Governor; but send him to another province and make him one himself." Again, while "classes and not individuals" [63] had been selected for observation in *The Attaché,* according to Haliburton's own statement, yet, under the special exemption clause, "public topics are public property," [64] he felt free to make almost unrestricted use of prominent personages as targets for his satire, and for other less excusable comment. His hostility to Lord Durham was as open and as marked as ever, with plenty to spare for his successors in Canada, Lord Sydenham and Sir Charles Bagot.[65] Sir Robert Peel, like every Conservative, he thought a renegade from Tory principles, and told him so with very little indirection.[66] To Lord John Russell he gave approval and disapproval with equal frankness.[67] Lord Stanley, Russell's successor in the Colonial Office, was a "trump" and as Secretary for the Colonies, "the most able, the most intelligent, the most laborious and eloquent one of them all." [68] Hume, of course, was an instigator of treason.[69] O'Connell deserved the name of Agitator rather than that of Liberator.[70] The Americans, Willis, Rush, and Stephenson were pilloried for bragging about their social triumphs abroad.[71] And it was *The Attaché's* ill-advised flippancy at the expense of Edward Everett that brought down upon Haliburton's head the wrath of

[63] *Ibid.,* second series, I, 216.
[64] *Ibid.,* first series, I, 13.
[65] See numerous references below.
[66] *Attaché,* first series, I, 146ff., II, 280; second series, II, 273.
[67] *Ibid.,* first series, II, 140; second series, I, 235.
[68] *Ibid.,* first series, II, 96; second series, II, 50.
[69] *Ibid.,* first series, II, 35; second series, II, 142, 193.
[70] *Ibid.,* second series, I, 265.
[71] *Ibid.,* second series, I, 55.

Professor Felton of Harvard.[72] Another of Haliburton's inconsistencies has already been observed in his fulfillment of the promise of brevity in *The Attaché* by writing four discursive volumes.[73] His avowed intention of retiring "very soon from the press altogether"[74] is of the same sort of mere thoughtlessness. At the end of the second volume he explains that he had originally intended to write but one, with a second in mind for publication "at some future time," and doubts his ability "to furnish a second series of this work."[75] The close of the fourth volume finds him regretting "many excluded topics" and ready with the announcement of *The Old Judge*.[76] More incredibly inconsistent at first sight than anything else in *The Attaché*, however, are Haliburton's disclaimers of all hope of preferment: "I assure you I want nothing of those in power. I am an old man, I want neither office in the colony nor promotion out of it. Whatever aspiring hopes I may once have entertained in my earlier and happier days, they have now ceased to delude me. I have nothing to ask"[77]; and of the use of flattery to obtain recognition: "If I had any objects in view, I would never condescend to flatter men in power to obtain it [*sic*]. I know not a more contemptible creature than a party hack."[78] In extenuation of these statements at the conclusion of a work bearing but slightly disguised suggestions for personal promotion and patronage, nothing can

[72] *Ibid.*, first series, I, 241ff. See above, 349, and below, 475.

[73] See above, 441.

[74] *Attaché*, first series, I, 3.

[75] *Ibid.*, first series, II, 287, 289.

[76] *Ibid.*, second series, II, 289, 291.

[77] *Ibid.*, second series, II, 274, 275. Haliburton was under 48 when he wrote this. The note of despondency is probably due to the death of his wife. See above, 434, 435.

[78] *Ibid.*, second series, II, 275.

be said except that while Sam Slick did mention a title, a seat in the British House of Commons, and the Governor Generalship of Canada as fitting honors for his friend "the Squire," the latter was quick to check his effrontery,[79] and that Haliburton's blandishments of political leaders, in *The Attaché,* were, for the most part, meant only for those who were permanently out of office!

Though for action and description *The Attaché* depended on Haliburton's experiences of some years past, its consideration of public questions was brought pretty thoroughly up to date. In its selection of contemporary affairs for discussion it followed closely *Blackwood's* proposed plan[80] and confined itself to the political, and to a less extent to the religious, situation in England and the colonies. Like the third *Clockmaker* it made its appeal directly to Downing Street and the English public, with a digression now and again for the benefit of its hoped-for American readers, and covered much the same ground in urging patronage as a cure for colonial evils. It marks an advance over the preceding work, however, in the development of Haliburton's constitutional theories, in containing a more careful, if still one-sided, treatment of responsible government, occasioned by the efforts to introduce it, and the preliminary exposition of his rapidly maturing ideas on Imperial organization. Much that Haliburton found in England was the cause of patriotic satisfaction, but he detected there, too, reason for serious misgivings. *"I love old England"* was his first fervent outburst on reaching the shores of the homeland—

"I love its institutions, its literature, its people. I love its law, because while it protects property, it ensures liberty. I love its church, not only because I believe it is the true church, but because

[79] *Ibid.,* first series, II, 151, 157, 172, 174; second series, II, 189, 286.

[80] See above, 436, 437.

though armed with power, it is tolerant in practice. I love its constitution, because it combines the stability of a monarchy, with the most valuable peculiarities of a republic, and without violating nature by attempting to make men equal, wisely follows its dictates, by securing freedom to all." [81]

But his "love" for the people was quickly qualified into "like," and even the milder feeling was not for all in the same degree. "They were not what they were. Dissent, reform, and agitation have altered their character. It is necessary to distinguish." [82] With a "*real* Englishman" the case was different. "Generous, loyal, and brave, manly in his conduct, and gentlemanly in his feeling," [82] he was worthy of respect, but only if in addition he was a "churchman in his religion and a tory in his politics" [83] did Haliburton know "that his heart is in the right place" and "love" him.[83] Three influences moulded and modified this national character which the colonial visitor found so forbodingly altered, the Church, the constitution, and the climate, only one of which was safely beyond the reach of the radicals. To argue for the preservation of the other two in as near their former state as possible, indissolubly united and unimpaired by concessions to the leveling spirit of "the mob," was the particular mission to the English people which Haliburton took upon himself.

"May man support the Church of God as here established, for it is the best that is known to the human race; and may God preserve and prosper the constitution as here formed, for it is the perfection of human wisdom," [83]

is the prayer he put into the mouth of the Rev. Mr. Hopewell, and there is little question that it was his very own. To the Church he attributed whatever of most value he

[81] *Attaché,* first series, I, 116, 117.
[82] *Ibid.,* first series, I, 117.
[83] *Ibid.,* second series, I, 120.

observed in English life, public and private. If Great Britain set an example to America and the colonies in institutional charity, care of the sick and aged, and education of the meritorious poor, it was because these were "the glorious fruit of the Church of England." [84] And the same explanation could be given for much of the "greatness and goodness — of liberality and sterling worth" conveyed by that one word, *Englishman*.[85] To the type of government in England, "the best that human wisdom has yet discovered, or that accidental circumstances have ever conspired to form," [86] was due the traditional law, order, and social stability of the country, as well as the "great manliness, great sincerity, great integrity, and a great sense of propriety" [87] there. To conserve these manifold blessings of "permanent orders and fixed institutions" and of "a regular well-defined gradation of rank, from the sovereign on the throne [whose divine right to be there Haliburton doubted not in the least [88]] to the country squire," [89] it was necessary to safeguard the historical partnership which produced them. That "the strength of this nation lies in the union of the Church and State" [90] Haliburton believed implicitly, but that "to sever this connection was the object of all the evil-disposed in the realm" [91] he was equally convinced, and the signs of the times which led him to utter the warning of this latter statement caused him decided uneasiness. As he read them, there was a two-fold indication that "the evil-disposed" had already weakened the sacred combination, manifested in the division of the people into parties for the attainment of conflicting political ends, and in the demand for radical

[84] *Ibid.*, second series, I, 117.
[85] *Ibid.*, second series, I, 119.
[86] *Ibid.*, second series, I, 131.
[87] *Ibid.*, second series, I, 134.
[88] *Ibid.*, second series, I, 91, 92.
[89] *Ibid.*, second series, I, 133.
[90] *Ibid.*, second series, I, 88, 89.
[91] *Ibid.*, second series, I, 89.

change on the part of the more popular elements into which they had split. Change that verged at all towards the drastic was the dread of Haliburton's life. "Fear God, honour the King, and meddle not with those that are given to change" [92] was the text he chose for his sermon to the English public.

All this amounts to saying that in spite of his lavish compliments Haliburton's view of the situation in England was undoubtedly pessimistic. With the passing of the old-fashioned, undivided rule of the Tories, passed also, in his estimation, the strongest guarantee of the nation's future greatness. But the farther the hopes of the Tories receded, the more emphatically he confessed his faith that their return to power was required. "The state of this country," he said,

> ". . . is a very perilous one. Its prosperity, its integrity, nay its very existence as a first-rate power, hangs by a thread, and that thread but little better and stronger than a cotton one. *Quem Deus vult perdere prius dementat.* I look in vain for that constitutional vigour, and intellectual power, which once ruled the destinies of this great nation.
>
> There is an aberration of intellect, and a want of self-possession here that alarms me. . . . When the Whigs came into office, the Tories were not a party, they were the people of England. Where and what are they now? Will they ever have a lucid interval, or again recognize the sound of their own name? And yet . . . doubtful as the prospect of their recovery is, and fearful as the consequences of a continuance of their malady appear to be, one thing is most certain, *a Tory government is the proper government for a monarchy, a suitable one for any country, but it is the only one for England.*" [93]

In Sam Slick's opinion the company which the Tories had kept was sufficient proof of their right to public confidence. They had been supported, he said, by

[92] *Ibid.*, first series, I, 146. [93] *Ibid.*, first series, II, 278, 279.

"the majority of the lords, the great body of landed gentry, the universities, the whole of the Church of England, the whole of the Methodists, almost the principal part of the kirk, the great merchants, capitalists, bankers, lawyers, army and navy officers, and so on." [94]

so that he was justified, perhaps, in thinking that "the larnin', piety, propriety, and respectability is on the Tory side." [94] On the other hand the character of the Whigs could be as easily read from their adherents:

"a few of the lords, a few of the gentry, the repealers, the manufacturin' folks, the independents, the baptists, the dissentin' Scotch, the socialists, the radicals, the discontented, and most of the lower orders . . . only ignorant numbers, with a mere sprinkling of property and talent to agitate 'em and make use of 'em, or misinformed or mistaken virtue to sanction 'em." [95]

For Haliburton there was no consolation in the appearance of the Conservative party as a successor to the definitely retired Tories. He was skeptical of the Conservatives from the first, and remained so almost to the end of his political career. That they were merely Tories under a new name, he would never admit.

"I don't like that word Consarvative," he said, once more through the Rev. Mr. Hopewell.[96] "Them folks may be a good kind of people, and I guess they be, seein' that the Tories support 'em, which is the best thing I see about them; but I don't like changin'

[94] *Ibid.*, first series, I, 149. Another of Sam Slick's lists of Tory constituents is even more impressive: "The Tory party here, you know, includes all the best part of the upper crust folks in the kingdom — most o' the prime o' the nobility, clergy, gentry, army, navy, professions, and rael merchants. It has, in course, a vast majority of all the power, talent, vartue, and wealth of the kingdom a'most." *Ibid.*, second series, I, 198, 199.

[95] *Ibid.*, first series, I, 148, 149, 151.

[96] Haliburton was generously indiscriminate in assigning Yankee dialect to "Minister" or Sam Slick — or in withholding it!

a name."[97] And again, " . . . talk to a Consarvative as a Tory, and you will find he is a Whig; go and talk to him again as a Whig, and you will find he is a Tory. . . . It strikes me they don't accord with the Tories, and yet arn't in tune with the Whigs, but are half a note lower than the one, and half a note higher than t'other."[98]

But he had no such difficulty in distinguishing his own party kind from all others:

"I ask myself what is a Tory? I find he is a man who goes the whole figur' for the support of the monarchy, in its three orders, of King, lords, and commons, as by law established; that he is for the connexion of Church and State and so on; and that as the wealthiest man in England, he offers to prove his sincerity, by paying the greatest part of the taxes to uphold these things."[99]

Sam Slick had his own crude but infallible method of differentiating between the English political partisans, borrowed from "an old critter to Halifax":

"'a Tory, Sir,' said he, 'is a gentleman every inch of him, stock, lock, and barrel; and he puts a clean frill shirt on every day. A Whig, Sir,' says he, 'is a gentleman every other inch of him, and he puts an onfrilled one on every other day. A Radical, Sir, ain't no gentleman at all, and he only puts one on of a Sunday. but a Charist, Sir, is a loafer; he never puts one on till the old one won't hold together no longer, and drops off in pieces.'"[100]

It was upon the more or less unsanitary elements of this distinctively attired British electorate, including the unscrupulous among the Whigs and the leaders of the Radical Chartists, with Repealers, Agitators, and Republicans, all lumped together under the common heading of Reformers,

[97] *Attaché*, first series, I, 143.
[98] *Ibid.*, first series, I, 141, 142.
[99] *Ibid.*, first series, I, 151, 152.
[100] *Ibid.*, first series, I, 152, 153.

that Haliburton laid the accusation of conspiring to overturn both civil and ecclesiastical authority, and bring universal ruin on the country. In the attainment of their selfish ends they had availed themselves

> " of the turbulence of the lower orders whose passions they had inflamed, and had . . . let loose the midnight incendiary to create a distress that did not exist, by destroying the harvests that were to feed the poor; had put the masses into motion, and marched immense bodies of unemployed and seditious men through the large towns of the Kingdom, in order to infuse terror and dismay through the land." [101]

But of all the Whig supporters whose menace to the peace and safety of England Haliburton feared, it was the manufacturing classes, the exploiters of the English " white niggers " that most excited his Tory indignation. It was " not from the Corn-laws, as their Radical employers tell 'em — not because they have not universal suffrage, as demagogues tell 'em — not because there are Bishops who wear lawn sleeves instead of cotton ones, as the Dissenters tell 'em," [102] that the English proletariat were suffering, but because the English manufacturers were lacking in even the consideration of the brutes:

> " The manufacturer alone obeys no instinct, won't listen to no reason, don't see so necessity, and hante got no affections. He calls together the poor, and gives them artificial powers, unfits them for all other pursuits, works them to their utmost, fobs all the profit of [off ?] their labour, and when he is too rich and too proud to progress, or when bad spekelations has ruined him, he desarts these unfortunate wretches whom he has created, used up, and ruined, and leaves them to God and their country to provide for. But that ain't all nother, he first sets them agin the House of God and His Ministers, ... and then he sots them agin the farmer,

[101] *Ibid.*, second series, I, 80, 81. See also *ibid.*, 203–210.
[102] *Ibid.*, second series, II, 217, 218.

who at last has to feed and provide for them in their day of trouble." [103]

And all this because he was "a Liberal," with means and pride beyond his rank, and education and breeding below his pretension. To vent his spite on the aristocrats whom he hated, and to divert the attention of his workers from the real cause of their miseries, he proclaimed himself a friend of the poor, and became a Reformer opposed to the Corn Laws, the agricultural monopoly, and the landed gentry. "What a super-superior villain he is! — he first cheats then mocks the poor, and jist up and asks the blessing of God on his enterprise, by the aid of fanatical, furious, and seditious strollin' preachers." [104] It was not "cheap bread, nor ballot, nor reform, nor chartism, nor free trade, nor repealin' unions, nor such nonsense" [105] that the poor of the manufacturing districts needed, but protection from their heartless masters. To listen to their hypocritical advocates and to extend to them, or to any other section of the English masses, the privileges granted by the meddling legislation that the Whigs had enacted in 1832 would indeed be fatal:

> "The Reform Bill has lowered the character of the House of Commons in exact proportion as it has opened it to the representatives of the lower orders. Another Reform Bill will lower the character of the people; it will then only require universal suffrage, and vote by ballot, to precipitate both the altar and the throne into the cold and bottomless abyss of democracy." [106]

In his discussion of colonial problems in *The Attaché* Haliburton was scarcely more restrained than in his com-

[103] *Ibid.*, second series, II, 219.
[104] *Ibid.*, second series, II, 221.
[105] *Ibid.*, second series, II, 226.
[106] *Ibid.*, second series, I, 86, 87.

ment upon English politics, but his opinions on matters connected with the colonies, however extreme, were at least based on the authority of a life-long observation. Yet first-hand knowledge did not save him from falling into his customary insincerity of over-statement and confusion of meaning and expression.[107] The contradictions which he allowed himself, with apparent unconcern of their effect on his ultimate intentions of winning a respectful hearing for his remedial proposals for the colonies, were, to be sure, in part inherent in the subject he was considering. "There is," as he said, "a perverseness about English rule in America, that is perfectly astonishing. Their liberality is unbounded, and their indulgence unexampled; but there is a total absence of political sagacity, no settled principles of Colonial Government, and no firmness and decision whatever."[108] Though the paradox was real enough, it was, perhaps, not as exaggerated as Haliburton put it, and it certainly was not sufficient for the failure in discrimination represented by the declaration in one breath, that "England cramped the energies of the colonies, paralyzed their efforts, and discouraged and disheartened them," and in the next that "England is liberal in her concessions, and munificent in her pecuni-

[107] Nor from censure for both from the Liberal press in Canada. Note the following copied from *The British Colonist* in *The Novascotian,* Feb. 10, 1845: "Judge Haliburton's political views, and his professed knowledge of the state of public feeling in Canada, however slightingly they might have been formerly regarded here, have certainly not been more favourably estimated by those who have panted for good government, and who have had experience of the state of things in this Colony, by means of long residence and personal observation, since the publication of his work, called *Bubbles of Canada.* We question much, if the present work [*The Attaché*] will tend to enhance his political reputation either."

[108] *Attaché,* second series, II, 228.

ary grants to us "; [109] or in pointing out at one moment that "the history of the world has no example to offer of such noble disinterestedness and such liberal rule, as that exhibited by Great Britain to her colonies," [110] and at another that the degradation of being under British rule in the colonies, owing to the impossibility of rising there to office worthy of colonial talents, makes it a question "whether to suffer or resist;" [111] or, again, in asseverating that "the Government of Great Britain over her colonies is one of the *lightest, kindest, mildest, and most paternal in the whole world,*" [112] when it had already been emphasized that, under the rule of the Colonial Office experimenters, the fate of a colonist was little more enviable than that of the chief participant in a Georgia gander pulling! [113] Fortunately for Haliburton's reputation as an advocate for the colonies he had more than empty compliments and useless fault-finding for the English readers of *The Attaché.* Patronage was, of course, the sovereign remedy he had to suggest for the discontent among the dependencies, but his conception of its scope went much further than his earlier suggestion of colonists for colonial offices merely,[114] and now involved throwing wide open to overseas competition the entire range of appointments in the Imperial service. With the more sweeping terms of this later suggestion to the British authorities went also the warning that unless it were carried into immediate execution they must be prepared for the speedy independence of their possessions in North America and their eventual annexation to the United States. If they doubted the possibility of the first contingency, there were the facts of the American Revolution to prove it, and to

[109] *Ibid.,* first series, II, 228.
[110] *Ibid.,* first series, I, 103.
[111] *Ibid.,* first series, II, 85.
[112] *Ibid.,* second series, II, 241.
[113] *Ibid.,* first series, II, 61.
[114] See above, 318–321.

demonstrate how it might be avoided. "Had Washington been sent abroad in command of a regiment, Adams to govern a colony, Franklin to make experiments in an observatory like that at Greenwich, and a more extended field been offered to colonial talent, the United States would still have continued to be dependencies of Great Britain."[115] And the certainty of annexation was made vivid by Sam Slick's figurative prophecy that unless the colonial frog pond were expanded into a sizeable lake, by diverting the stream of Imperial favor through it, the Yankee stork would gobble up its lustily piping occupants.[116] But neither independence nor annexation had any part in Haliburton's plans for the colonies' future. His ambition was that the distinction between Englishmen and colonists might be wiped out.[117] His desire, as he expressed it, was to be an *Englishman,* not an English subject,[118] to be able to say with perfect right, "*our* army," instead of "the English army,"[119] and "*our* navy, *our* church, *our* parliament, *our* aristocracy." The grievance which he recorded was not only that the colonials had been excluded from Imperial offices but that even the field of profitable local appointments had been made a sort of happy hunting-ground for English place-men and half-pay officers. The resulting feeling of undeserved subordination had made the provincials easy prey for political demagogues. Only one way could be opened to save them from an intolerable fate. "If you don't make *Englishmen* of us," Haliburton told the powers that were, "the force of circumstances will make *Yankees* of us."[120] The obvious corollary was a united legislature, composed of representatives from both mother country and colonies, the con-

[115] *Attaché,* first series, I, 85.
[116] *Ibid.,* first series, II, 171.
[117] *Ibid.,* first series, II, 86.
[118] *Ibid.,* first series, II, 174.
[119] *Ibid.,* first series, II, 100.
[120] *Ibid.,* first series, II, 115.

stituent parts of the Empire sending them, "having the same rights and privileges, each bearing a share of the public burdens, and all having a voice in the general government." [121]

Having thus contrived a means of elevating the colonists above their status as colonials, Haliburton proceeded, with his usual indifference to consistency, to elaborate a plan for ensuring the successful control of the colonies as dependencies. The fact that one scheme virtually excluded the other did not, however, impair the value of the second, which came much nearer than the first to something that stood a fair chance of realization, and from the care with which it was worked out was evidently regarded by Haliburton himself as the better solution of the question that interested him above all others. The history of the Colonial Office made that institution appear, in his estimation, little better than a Bedlam. The successive dissolutions of the English government meant the passing about of the Chief Secretaryship of the colonies from appointee to appointee, the best qualified of whom had only parliamentary influence and training received in English politics or business to thank for their elevation to the Cabinet, and none of whom remained in office long enough to acquire practical or personal knowledge of the affairs over which they presided. The consequence had been government of the colonies by chief clerks, whose qualifications for their duties were oftentimes poorer than those of their superiors. The problem had become too difficult for continuance of colonial direction *in absentia;* management through incompetence and ignorance removed three thousand miles from the effects of their decisions was too perilous to be endured longer. A thorough-going reconstruction of the Colonial Office was needed. In place of the control of under-secre-

[121] *Ibid.*, first series, II, 87.

taries, Haliburton again[122] proposed to substitute that of a permanent council board, the *ex officio* head of which would be the Secretary of State for the Colonies.

"This board should consist," he said, "in part of ex-governors and colonial officers of English appointment, and in part of retired members of assembly or legislative councillors, or judges, or secretaries, or other similar functionaries, being native colonists. All of them should have served in public life a certain number of years, and all should be men who have stood high in public estimation, not as popular men (for that is no test), but for integrity, ability, and knowledge of the world."[123]

It is no reflection on the value of Haliburton's suggestion that it was never put into execution. For a colonist writing many years before the necessity of colonial representation in London became generally recognized as imperative, it was a remarkable anticipation of such present-day devices to inform English statesmen and the public of needs and aspirations among their dependent commonwealths and dominions as the Imperial Premiers' Conferences and the Canadian and Australian High Commissioners' Offices.

But however insistent Haliburton was in *The Attaché* that the colonists required a voice in the direction of their affairs from England, he was as determined as ever that they should be restricted to what participation they already had in their own concerns at home, or at least that they should be denied any such concession as responsible government. That was a privilege no colonial people could be entrusted with, least of all the French-Canadians. "I know of no colony to which Responsible Government, as now demanded, is applicable; but I know of few to which it is so wholly unsuitable as to Canada,"[124] was Haliburton's

[122] See above, 230.

[123] *Attaché*, second series, II, 52; see also first series, II, 45–65; second series, II, 45–54.

[124] *Ibid.*, second series, I, 217, 218.

own statement of his attitude to the most popularly agitated cause among his fellow provincials. His arguments against executive responsibility to colonial majorities were much the same as they had always been, except that he made a good deal more than in previous discussions of the special objections to permitting party rule in Canada owing to the peculiar conditions arising from race and religion there, and took advantage of the conflicting interpretations put upon Lord Durham's recommendations by Lord John Russell in his parliamentary addresses and in his instructions to Lord Sydenham[125] to point out that responsible government had so many meanings that it meant nothing at all. The original haziness as to its exact significance began, of course, with Lord Durham himself:

"Haughty, vain, impetuous, credulous, prejudiced, and weak, he [Lord Durham] imagined that theories of government could be put into practice with as much ease as they could be put upon paper. I do not think myself he attached any definite meaning to the term, but used it as a grandiloquent phrase, which from its size, must be supposed to contain something within it and from its popular compound could not fail to be acceptable to the party he acted with;"[126]

— thus the Rev. Mr. Hopewell, to whom Haliburton entrusted his opinions of the Canadian reform movement. What Lord Durham had suggested with misunderstanding, Lord Sydenham had initiated with misuse of power.

". . . he had great personal weight, and as he was known to have unlimited power delegated to him, and took the liberty of altering the tenure of every office of emolument in the country, he had the greatest patronage ever known, in a British province, at his command, and of course extraordinary official influence."[127]

[125] See above, 287–289.
[126] *Attaché,* second series, I, 212.
[127] *Ibid.,* second series, I, 213, 214.

Instead of summoning to his assistance men possessing the confidence of every large interest in the country, and doing his best to extinguish party government and to lay the foundations of a permanent coalition, he had been content to produce a temporary pacification and to use his extraordinary means of coercion to create a triumphant majority to pass his measures of so-called reform. He had built up a system of government that brought monarchical and republican principles into direct antagonism. There being no hereditary aristocracy in Canada, such as Pitt had at one time wisely designed, the counterpoise between the two opposing forces was lacking, and the active, or democratic, influence was bound to overthrow the other. "This is not a remote but an immediate consequence, and as soon as this event occurs, there is but one word that expresses the result — independence!" [128] Responsible government as Sydenham had evidently meant to inaugurate it in the colonies implied that a majority vote in elections must be accepted as the voice of the people. But in Canada, a community where the larger portion of the population surrendered the right of private judgment to its priests, who were wholly concerned in advancing the cause of their church or in preserving the separate nationality of their parishioners, how could this be the case? To make the government in French-Canada responsible to the dominant party there, and to surrender to it the patronage of the Crown would be "*to sacrifice every British and Protestant interest in the country.*" [129] This, of course, was the reason why the French leaders had so eagerly accepted the proffer of a Whig governor's reform, for by the folly of its applications they would again become masters of a colony they had once fairly lost,

[128] *Ibid.*, second series, I, 216, 217.
[129] *Ibid.*, second series, I, 219.

without fear of its "real owners" being able to participate in its administration. Only by following the anti-Durhamites' doctrine, that the Governor's power being delegated by the Queen the Governor was therefore responsible to her alone, could the French-Canadians be held in check. To accept the doctrine of the Canadian "Liberals," that the Governor was but the head of his Executive Council, which was responsible to the people, would be to break down the demarcation between a colonial state and independence. The assertion "of these troublesome and factious men" that they were unable to conduct their local government without a legislative majority powerful enough to carry government measures had deluded many persons who had an incomplete understanding of the situation in Canada. Majorities were required there not to carry legislation into effect, but certain persons into office and power. "A colonial administration," declared Haliburton, and here he demonstrated again how thoroughly incapable he was of conceiving of any expedient of improving colonial status except his own then impossible dream of Imperial federation,

> "A colonial administration neither has, nor ought to have, any government measures. Its foreign policy and internal trade, its post-office and customs department, its army and navy, its commissariat and mint, are permanent services provided for here in England.[130] Its civil list is, in most cases, established by a permanent law. All local matters should be left to the independent action of members [as they had been when Haliburton was a member of the Nova Scotian Assembly], and are generally better for not being interfered with. If they are required they will be voted, as in times past; if not they will remain unattempted." [131]

[130] To the exclusion of colonists from appointment to most of them, as Haliburton had pointed out elsewhere in *The Attaché*. See first series, II, 97, 98.

[131] *Attaché*, second series, I, 222. Haliburton's own failure with

It was Lord Durham who had put any other notion of colonial administration into the heads of the colonists, and who had awakened the "hungry demagogues and rapacious patriots" to the desirability of party government to provide themselves with lucrative appointments. A government by majority had proved itself the worst of tyrants in the United States; it would be infinitely more oppressive in the colonies, where the republican institutions of short-term elective offices did not exist to modify its evils. "Neither that presumptuous man, Lord Durham, nor that reckless man, Thompson [Lord Sydenham], appear to have had the slightest idea of this difference,"[132] between the American and colonial constitutional machinery. To commit the patronage to the party of reform in Canada, which consisted mostly of the easily swayed masses, and allow them to entrust members of their own order with offices of virtually unlimited tenure, would be nothing short of calamitous.

"What a delusion, then, it is to suppose that Responsible Government is applicable to the North American provinces, or that it is anything else than practical independence as regards England, with a practical exclusion from influence and office of all that is good or respectable, or loyal, or British, as regards the colony. The time is now come when it is necessary to speak out, and speak plainly. If the Secretary for the Colonies is not firm, Canada is lost forever."[133]

The state of panic which this conclusion reveals over another possible defection from the Empire was perhaps not unreasonable in an age when students of politics rather generally accepted Turgot's dictum that colonies, like

---

the Pictou Academy Bill, which had an assembly majority behind it, was now well out of mind, it seems. See above, 105ff.

[132] *Ibid.*, second series, I, 223.

[133] *Ibid.*, second series, I, 225, 226.

fruit on becoming ripe, must fall from the tree that bears them, and when the special conditions in Canada promised a premature falling of the French-Canadian crop. But no extenuation may be urged for the partial deception which Haliburton practised on his readers in maintaining that the successive efforts of Lord Durham and Lord Sydenham would betray the English of Canada into the hands of the French-speaking population. Both the recommendations of the one and the administration of the other provided ample safeguards for British interests in the Canadian colonies, and Lord Durham was almost too eager to reduce the French to political impotence. When there was a point to be made, however, Haliburton was not over-scrupulous about the arguments he used in making it.

The references to the United States in *The Attaché* are made with rather more equipoise of feeling than those to Great Britain and Canada. Only in prophesying the results of introducing republicanism into the colonies did Haliburton indulge in other than comic exaggeration in his occasional observations on American customs and happenings. The constitution served, of course, to heighten by contrast the superiorities of a limited monarchy, but it was not utterly condemned as pernicious by any means. On the whole, Haliburton's *Attaché* mood towards the Americans was pleasant enough, and his criticism kindly. Even his allusions to such burning questions as the right of search, the Oregon territory, the Maine boundary line, the seizure of the Caroline, and repudiation, were made in good nature and without show of rancor.[134] On repudiation, the only one of these that received more than

[134] See *Attaché,* first series, II, 43; second series, I, 186; II, 73ff. The same statement holds true, for the most part, of the numerous references to the Maine boundary dispute in *The Letter-Bag.*

a passing mention, his comment was especially mild in the light of the bitterness evinced on the matter of state debts elsewhere in his works.[135] Naturally he deplored the dishonesty of attempting to evade proper settlement of legitimate obligations, but he was inclined to think that Sydney Smith's *Letters* would suffice to stimulate the defaulting states' sense of justice into payment before their credit was absolutely ruined. And in any event the national honor of America was not to be impeached because of the low moral tone of a popular vote, any more than should that of Great Britain as a consequence of majority action if universal suffrage prevailed *there!*[136] Though emanicipation was another American topic upon which Haliburton had not a little to say in *The Attaché,* it was introduced more for the sake of ridiculing the horror-tales of the treatment of negroes in the United States than for the sake of passing judgment on either the North or the South. In so far as he expressed any opinion on the controversy between the two parts of the Union, it was that their quarrel being purely an American one it should be left to the American people to decide, although his neutrality did not prevent him from twitting Sam Slick on posing as the representative of freedom's land, when his nation persisted in the right of its ships to navigate the seas unmolested, with "liberty at the *masthead* and slavery in the hold."[137]

The same excess of sentimentality which renders *The Attaché* ludicrous at various points with fulsome flattery of the English led Haliburton in the later volumes of the

[135] See, for instance, *The English in America,* 362, cited below, 528.

[136] *Attaché,* second series, II, 83–86.

[137] *Ibid.,* second series, II, 221, 222. See also first series, II, 66ff. and second series, II, 207ff.

same work into sorry exhibitions of his growing penchant for flights of emotion and melancholy romance. The first indication of his addiction to the style of the "graveyard school" has already been noted in the rhapsody on royalty called "The Duke of Kent's Lodge" in the third *Clockmaker*.[138] In *The Attaché* the tendency to moralize on the solemnities of decline passed quite over into the even more depressing "tubercular school," and henceforward the heroine with the hectic flush proved the irresistible muse of Haliburton's most impressionable moments. Happily these were few, though their effects were often regrettably long drawn out. Sam Slick's declaration on seeing one of the consumptive habitués of Leamington, came straight from the heart of his creator, "I actilly love her — I do indeed."[139] Three lapses into the cankered narrative, two of them of the slow-dying variety, make distressful reading of certain pages of *The Attaché*,[140] though after all they are not more dismal than another manifestation of the same sort of mawkish sentiment displayed in the meant-to-be heartrending tale of "The Canadian Exile,"[141] in which Haliburton attempted to harrow the feelings, and to excite the desire for revenge, one fears, of his English readers, by reciting the horrors suffered by the Canadian loyalists at the hands of the rebels of 1837–38. Nothing could be much more completely devoid of sincerity than the last melodramatic scene of this story, properly described by Mr. Hopewell as "awful," in which the narrator-victim on recalling his family's terrible experiences in the uprising temporarily lost, first sanity, then consciousness, falling "on the floor

[138] See above, 308–310.
[139] *Attaché*, second series, II, 172.
[140] *Ibid.*, second series, I, 25ff; II, 147, 171ff.
[141] *Ibid.*, second series, II, 127ff.

at full length in a violent convulsion fit, the blood gushing from his nose and mouth in a dreadful manner."[142] Equally as liable to lack of restraint in emotionalism as his over-wrought romances, was Haliburton's indulgence in moralizing in rapturous reflections on almost any topic that presented itself. Love of home, of the sea, and of England, loneliness in a crowd, the idyllic life of the English cottagers, a mother's influence, the benefits of an hereditary nobility and the blessings of an Established Church, the ignominy of a civil marriage and the disappointments of friendship, are all matters upon which he was hopelessly ultra-sentimental. Perhaps his outbursts over Killarney illustrates both the best and the worst of his more ecstatic passages:

"Go there of a fine day, when the Lake is sleeping in the sunbeams, and the jealous mountain extends its shadowy veil, to conceal its beautiful bosom from the intrusive gaze of the stranger. Go when the light silvery vapour rises up like a transparent scarf, and folds itself round the lofty summit of Mangerton, till it is lost in the fleecy clouds of the upper regions. Rest on your oars, and drift slowly down to the base of the cliff, and give utterance to the emotions of your heart, and say, 'Oh, God, how beautiful!' and your voice will awaken the sleeping echoes from their drowsy caverns, and every rock and every cave, and every crag, and every peak of the mountain will respond to your feelings, and echo back in a thousand voices, 'Oh, God, how beautiful!'" . . .[143]

In spite of its intemperate show of false feeling, and its numerous other flaws more serious than rhetorical dissipations, *The Attaché* was honored by such a reception abroad as in many respects must have measured well up to Haliburton's most sanguine expectations of approval. There were also indications, however, that his popularity had gained nothing, if it had not actually lost, through his

[142] *Ibid.*, second series, II, 150. [143] *Ibid.*, second series, I, 164.

extravagances of opinion and manner; and there were even signs that his continued working of a successful vein beyond the point of reasonable profit had been, too, an error. As in duty bound *Bentley's Miscellany* [144] came out with a highly commendatory advance notice of the new work, as part of the strategically timed account of *The Clockmaker's* vogue, mentioned previously.[145] But *The Attaché* needed no suggestion of this sort of shrewd advertising, if the cordial greeting which certain other of the English reviews gave it may be taken as a criterion of the contemporary fame of Sam Slick in England. "'We stop the press,' as the daily papers used to say, to announce the arrival of our old friend Sam Slick . . . come how he may or when he will, he is sure to be welcome," said *The Athenaeum* concerning the first series in one issue,[146] and, "Sam is a favorite, and deservedly so; whether we pronounce the work to be good, bad, or indifferent, everybody will read it, and they ought," in the next. And apparently *The Athenaeum* believed its readers not disappointed in their anticipations, since in announcing the second series to them it observed, "The clockmaker's last revelations were so truly diverting, that the present ones will be anxiously looked for." [147] "Need we introduce Sam Slick to any reader in civilization?" asked *The Literary Gazette,* on presenting an extract from the first series, and thus answered its own inquiry: "No; his 'originality, quaint sayings, and queer views,' are the exponents of so much acuteness and sound sense, that we only rejoice to see them applied to England." [148] The same periodical in

[144] XIV, 81ff.
[145] See above, 351.
[146] July 8, 1843.
[147] Quoted *Littell's Living Age,* IV, 155.
[148] July 8, 1843, 441.

its appreciation of the second series spoke of Sam Slick's "genius" as being "universally known,"[149] and *Chambers' Edinburgh Journal*,[150] reviewing the first series, referred to "Mr. Samuel Slick" as having "already gained a European reputation." *The Monthly Review*[151] received him with, "Welcome Yankee wooden-clockmaker to our shores, whether as pedlar or diplomatist." And even the *London Examiner*, though it had no use for Tories, remarked, "We are glad to shake hands with the Yankee Clockmaker," before disagreeing with Haliburton's politics, which it did with a zest. But with all this enthusiastic recognition of Haliburton's past successes, and eager approbation of the prospects of their repetition, there was an evident slackening off in interest over the later volumes of *The Attaché*. Though so certain that they would be "anxiously looked for," *The Athenaeum* humorously lamented their two principal innovations, "that *pièce de resistance* of most pathos-makers, the Consumptive Young Lady," and, "a certain sentimentality (*soft sawder* of a new quality), which we like less than his [Sam Slick's] sarcastic humor,"[152] and *The Monthly Review* objected strongly to their forced wit, vulgarity, and tediousness,[153] *The Spectator*, whose comment was always representative of the less assured acceptance of Haliburton as a literary lion, had only an adversely critical, though properly reasoned, judgment for either series, condemning the superficial observation, the lack of novelty, and hackneyed theme of the one, and the same defects, together with the "gross ignorance or audacious misrepresentations of some of the

[149] Nov. 2, 1844, 699.
[150] XII, 251.
[151] II, 475.
[152] Quoted, *Littell's Living Age*, IV, 155, 160.
[153] Dec., 1844, 558.

statements," the "wordy force," and the "opinionated confidence" of various conclusions, and the manner in which "mere writing" in the graver parts is made to "do duty for substantial qualities," in the other.[154] But the comparatively few editions of *The Attaché* issued by Bentley, as contrasted with those he reprinted of *The Clockmaker*[155] tell a far more graphic story of Haliburton's diminishing popularity in England than any searching among the literary journals of the day will reveal, and prove that *The Spectator* was right in advising him that his inability to longer interest his readers renders it "judicious to have closed the exhibition." Haliburton's politics alone, in an England strongly inclined towards Liberalism, would have been sufficient to spoil all chances of conspicuous success with *The Attaché*. The only partial fulfillment of the promise implied in the sub-title[156] made failure doubly certain. Without doubt many readers were attracted to the book in the hope of being diverted by the adventures of Sam Slick among company that he would have described as "rael jam." What they found, to a large extent, was merely the clock-pedlar in his customary rôle as a raconteur of Yankee yarns in Yankee settings. To have made more of him in England would have meant, as we have seen, the defeat of Haliburton's political purposes, although by his failure to do so he lost the opportunity of being the first American humorist to present the Connecticut Yankee at an English Court. But Sam Slick's drolleries in the old fashion had become something of a bore, or quickly became so as employed in *The Attaché*. The Rev. Mr. Hopewell and Squire Poker were unspeakably wearisome. Once the flurry of curiosity over their eccentric companion

[154] July 15, 1843, 664, 665; Nov. 9, 1844, 1073.

[155] See Bibliography below, 660, 661.

[156] See above, 436, foot-note.

in a unique capacity had passed, with the discovery that as a member of the American Embassy he was a fraud and an imposter, the reading public properly turned on the work that so presented him and quickly came to regard it with a more or less complete indifference.

Of recoverable criticism of *The Attaché* in the United States the irate attack on the book by Professor C. C. Felton of Harvard in *The North American Review*[157] is by all odds the most interesting. Though many of its opinions are perhaps too extreme to have been shared generally,[158] its reaction to Haliburton's political theories must have been widely endorsed. Those, so Felton declared — with what anger-producing results on Haliburton one may imagine — were due to the belittling effects of a colonial status on a colonist's intellect. To be a colonial was to be as dependent upon the mother-country for political ideals as for everything else, but was also to be remotely separated from the influence of events that made for political compromise and development. An antiquated and prejudiced partisanship was the consequence. Haliburton, he averred, was "a Tory of the most violent description,"[159] and being a provincial Tory, a copy of a hopelessly old-fashioned English model.

"He must have found himself, while in England," said Felton, "immeasurably behind the age. He seems to have adopted the cast off dogmas of the Toryism of former centuries; and he was as much misplaced in the England of the ninetcenth century, as a

[157] LVIII, 211ff.

[158] While Felton, for instance, described Haliburton's wit as existing only in the minds of uncritical readers, *The Knickerbocker*, (XXII, 382, 384) gave *The Attaché* credit for possessing "more genuine wit than is to be found in all the 'down-east' letters which have been inflicted upon the public *ad nauseam* any time these last three years."

[159] *N. A. Review*, LVIII, 212.

contemporary of Rameses the First would have been, had he risen from the mummy-pit, and appeared at the court of the Ptolemies. It seems almost incredible, that a man of ordinary powers of observation and discernment can gravely repeat the antiquated political absurdities, which this writer appears to have treasured in his very soul, as the quintessence of all political wisdom." [160]

What Felton thought of Haliburton's ability in character portrayal we already know from his denial that Sam Slick bore the slightest resemblance to any "real live" Yankee whatsoever.[161] That the notion he held of Haliburton's powers as a humorist was not more charitable may be inferred from the comment he passed on one of Sam Slick's typical narratives: "the coarsest and broadest laugher would recall it without the slightest peril to his gravity." [162] On the whole *The Attaché* was, in Felton's estimation, chiefly notable as being proof of his (as we now believe mistaken) theory that no great work of art or literature can come out of a colony.

In Nova Scotia, where *The Attaché* made its appearance at a most unpropitious moment for receiving an impartial hearing, it suffered the additional misfortune of falling into particularly unsympathetic hands for its introduction to the public, though whatever harsh treatment it received there was less the consequence of either unlucky accident, or of any pre-existing prejudice against its author, than the almost unavoidable effect of its gospel of unbending Toryism. When Haliburton went abroad in 1843, there was no disposition on the part of the local newspapers of whatever political affiliation to do otherwise than exult in the recognition which he had won for himself and his province, as is shown by the following amusing item in

[160] *Ibid.*, 214.
[161] See above, 349.
[162] *N. A. Review,* LVIII, 221.

The Novascotian,[163] which at that date, it should be explained, was no longer under the control of Joseph Howe:

"Author of the Clockmaker. — From an English paper we learn that Judge Haliburton, with a select party of other distinguished individuals, was to dine with the Earl and Countess of Zetland in Arlington Street. Upon the Map of North America, Nova Scotia appears to be only an insignificant peninsula; and as geographers have libelled the Country by the grossest misrepresentations, as respects its climate and soil, it has been considered by foreigners generally to be no better than a neck of sterile land, enveloped during the summer in perpetual fog and doomed to a winter, which in severity, is scarcely surpassed by that of Spitzenbergen. But however deceived the reading public in other countries may be with respect to our climate and soil, they cannot but be aware that Nova Scotia is the birth-place and home of one of the most popular writers of the day: and the hospitalities of England's nobility extended to him, is a proof of their appreciation of his genius, and a matter of pride to his countrymen."

And the same sense of pride in provincial accomplishment was once more evinced in *The Novascotian's* announcement of *The Attaché's* reception in England:

"Slick again. — 'The Attaché, or Sam Slick in England,' has just been published in London, and it is speaking much for its popularity, that it is read with no less avidity than were its predecessors. If England has its *Dickens* — and Ireland her *Lever* — Nova Scotia has her *Haliburton* whose literary fame is nothing dimmed by a comparison with his most popular contemporaries."[164]

It must have been accordingly with no little satisfaction at outstripping his rivals in popular service that the editor of *The Novascotian*[165] began the serial publication of *The Attaché* in his paper,[166] very soon, it seems, after the receipt of the first copies of the book in the colony. But apparently he had allowed his journalistic instinct to out-

[163] July 10, 1843.
[164] *Novascotian*, July 24, 1843.
[165] Then Richard Nugent.
[166] Aug. 28, 1843.

run his caution, and had made his choice of a "feature" entirely in the dark. It could not possibly have been more inopportune. The conflicting elements of Lord Falkland's coalition executive[167] were just at that time not only manifesting a tendency to pull completely apart, but the Tories had, in fact, obtained a predominant influence over the Governor, which was bound to lead in the course of a few months to the crisis that forced the retirement of Joseph Howe and James McNab from the Council.[168] If ever it was necessary for the Liberals to present a united front in order to retain the hard-won concessions to reform recently granted,[169] it was then. Under such circumstances *The Attaché* was certainly no document for so ardent a Liberal partisan as *The Novascotian* to be headlining, as the editor had evidently an opportunity to learn before the second instalment was reprinted. Having decided, hurriedly, but too late, that he had got the wrong sow by the ear, he attempted to correct his egregious blunder by informing his subscribers as follows:

"Sam Slick — We are republishing *The Attaché,* not because we approve of the *Book* as a whole, or because we think it equal in humor or pith to some of the author's previous volumes; — but because he is a native of the Province, and therefore the readers of the Novascotian may be desirous of perusing it. They cannot, however, do so with either pleasure, *country pride,* or profit. Like its predecessors, it is principally made up of *vulgar slang.* The political views it would inculcate *must* be execrated by every judicious reader. For instance, 'A Juicy Day in England,' which will be found on another page, is remarkable *only* for an *outlandish idiom.* It is not even a caricature of anything to be found in England, much less an illustration of manners or customs. The author seems maliciously intent upon wounding the feelings of a

[167] See above, 385–387.
[168] See above, 385.
[169] See above, 289, 385.

large proportion of the various denominations into which Christendom is divided. As Haliburton is a Nova Scotian, we regret that he has sullied his literary fame by this last production of his pen. In all his works there has been a good deal of chaff with the wheat — but in this, there is little that is creditable to its author, honorable to Nova Scotia, or ornamental to the literature of the present day. We wish our readers distinctly to understand, that although we intend the republication in our columns of the whole work, we sincerely regret that it was ever published at all, because we conceive it to be barren in that broad humour which characterized its predecessors, and is not conspicuously conducive to good morals, religious freedom of conscience, or political liberality. If indeed, we thought our readers would not be displeased with us for excluding the writings of a *native author* from our paper, we should scarcely feel inclined to encumber our columns with such an amount of *trash*." [170]

Another fortnight and the inclination had hardened into determination, and thereafter no further chapters from *The Attaché* encumbered the columns of *The Novascotian*. Only once again, indeed, was the first series so much as mentioned in the paper, and then only in an absurdly indignant letter from an outraged correspondent, whose identity was not disclosed (but who must have been own cousin to "Julian," [171] however), which the disillusioned editor surely printed with even more thanks than were publicly tendered:

A Correspondent. — We have just received a letter, dated more than a month ago, from a very worthy and esteemed friend at Pleasant River in Queen's County, which contains some wholesome and sound advice, intended for our good — and which is as kindly and gratefully taken as it is judiciously and frankly given. We doubt not his interest in our welfare, and in the respectability and usefulness of the Novascotian, — his long tried independence and firmness of character, coupled with uncompromising honesty of purpose, renders his advice and sympathy of value to us — But hear

[170] *Novascotian*, Sept. 4, 1843. [171] See above, 211.

him: — "In perusing the last Novascotian, I perceived an article headed *Slick in England,* which, in my opinion, is not fit to be seen in a public journal, and in fact, for display of wit, or common sense, much less literature, it is truly contemptible. Such vulgar slang would not have been expected from the most narrow-brained and low-bred in Nova Scotia — and strictly speaking, it is a disgrace to the paper that contains it. Such a miserable production is unworthy of being copied. We are divinely exhorted to shun the *appearance of evil.* I have read the Novascotian for fourteen years — and in less enlightened times than the present, but during the whole period, I have not seen anything in its columns so opposed to decency, — so incompatible with morality — and so insulting to the refinements of the age in which we live. . . ." [172]

When the second series of *The Attaché* was brought out *The Novascotian* preserved its tardily begun taciturnity regarding the book with a faithfulness that betokened a lesson well learned, the only notice taken of the third and fourth volumes being to reprint a short article from an unnamed Canadian newspaper [173] charging Haliburton, perhaps with some degree of justice, with having written them in order to sustain Lord Falkland in his inadequate interpretation of responsible government.

[172] *Novascotian,* Oct. 23, 1843. The chapter which occasioned this angry outburst of prudery, "A Juicy Day in the Country," (number two in *The Attaché,* first series,) is a tedious account by Sam Slick of a visit to a Shropshire squire's house, during a rainy weather week-end. The only passage it contains that may be fairly termed "indecent" is one in which Sam Slick relates his early morning adventures blundering into various bedrooms in his endeavor to find the stairway.

[173] Feb. 10, 1845.

CHAPTER XVIII

THE OLD JUDGE

The appearance of *The Old Judge* signalized a depressing change of attitude on Haliburton's part towards his fellow countrymen. Previous to the storm which Joseph Howe raised about the ears of Lord Falkland there had been at least the remote, though very remote, possibility that Haliburton might save his province from the final consequences of the reformers' madness. With the subsidence of the tempest and Lord Falkland's departure the last glimmer of hope had vanished. The publication of the first chapters of *The Old Judge* in *Fraser's Magazine* [1] followed immediately afterwards. Before the book was issued in completed form [2] the cause against which Haliburton had fought so bitterly for nearly twenty years was triumphant, and responsible government in Nova Scotia was definitely and fully realized. Thereafter Haliburton took less and less interest in the fate of Nova Scotians, and his native colony became decreasingly attractive to him as a place of residence. Formerly, however harshly he had criticized his own people, it had been with the idea of teaching them the error of their ways. He had desired to scorn them out of habits that he regarded as fatal to their material prosperity. His outlook had been towards the future, and he had expected improvement. But from the time of the triumph of liberalism he directed his gaze longingly towards the past, and contemplated the provin-

[1] 1846–47.

[2] In two volumes, by Henry Colburn, London, 1849.

cials only with regret and bitterness. *The Old Judge* was a new *Clockmaker* written to conform to the changed point of view. It presented the colonists as they were, and with evident painstaking care in the showing, but the intention of telling them what they should be was all but entirely missing. In turning once more to the depiction of colonial life and customs, Haliburton appreciated the uselessness of continuing to apply a political moral at any and every opportunity, but his deeply ingrained spirit of contentiousness, while held in restraint, was more alive than ever. Once he had found it in his heart to caricature the Nova Scotians for the benefit of the public good; now he described them in stern reality, too often only to give vent to personal or party disappointment.

The preface of *The Old Judge,* of course, disarms suspicions as to the actual nature of the book. It was intended, as Haliburton explains, to delineate the "habits, manners, and social condition," [3] of the people among whom he had lived for half a century, a statement which is amply borne out by the facts of the performance. Not as much can be said, however, for the announcement that, "Political sketches I have abstained from altogether; provincial and local affairs are too insignificant to interest the general reader, and the policy of the Colonial Office is foreign to my subject," [4] since the real animus of the work is unintentionally disclosed in the very next sentence, unwarrantably implying that the possibilities which it mentions had been ignored and the difficulties it admits avoided: "The absurd importance attached in this country to trifles, the grandiloquent language of rural politicians, the flimsy veil of patriotism, under which selfishness strives to hide the deformity of its visage, and the attempt to adapt the

[3] *The Old Judge,* Preface iii. The references are to the first edition.

[4] *Ibid.,* iv.

machinery of a large empire to the government of a small colony, present many objects for ridicule or satire; but they could not be approached without the suspicion of personality, and the direct imputation of prejudice." [5] There is some hint also of the mood in which the book is written in the explanation that the distinctively provincial character which it depicts is caused "by the necessities and condition of a new country, by the nature of the climate, the want of an Established Church, hereditary rank, entailment of estates, on the one hand, and the subdivision of labour, and the absence of nationality, independence, and Republican institutions, on the other." [6] The formal introduction of the native Bluenose to the reading public, on the contrary, again, hides more than it reveals of Haliburton's altered feelings towards him, though obviously he is the same too handy personage of the pre-*Clockmaker* days, with so little sign of reformation into steadiness of employment that one who desired to change him could hardly be blamed for giving him up as a bad job:

"The Nova Scotian, who is more particularly the subject of this work, is often found superintending the cultivation of a farm, and building a vessel at the same time; and is not only able to catch and cure a cargo of fish, but to find his way with it to the West Indies or the Mediterranean; he is a man of all work, but expert in none — knows a little of many things, but nothing well. He is irregular in his pursuits, 'all things by turns, and nothing long,' and vain of his ability or information, but is a hardy, frank, good-natured, hospitable manly fellow, and withal quite as good-looking as his air gives you to understand he thinks himself to be." [7]

A juster notion of the frame of mind in which much of *The Old Judge* was conceived, though not of its contents,

[5] *Ibid.*, iv, v. [6] *Ibid.*, vi. [7] *Ibid.*, vi, vii.

is to be obtained from almost the first political observations in the book, referring with practical certainty to Lord Falkland's treatment in Nova Scotia, and showing that Haliburton belonged to that diminishing group of last ditchers who had observed with secret, perhaps with open, delight every obstacle which his Lordship's foolishness had thrown in the way of the Nova Scotian reformers. The late Governor's arrival, if one may accept Haliburton's description without inquiring into more than its general applicability, had been greeted by "The Heathen who worship the rising sun and the Pharisees, who are waiters on Providence, the restless and the discontented, the hungry and needy place-hunters, and, above all, the seekers for [social] position,"[8] who had crowded the quay to the point of danger. Legislative and civic bodies had presented him with loyal addresses and promises of enthusiastic support. But how much either addresses or promises were worth he had discovered when he attempted to form a coalition government, combining "all the great interests of the country."[9] Then it had appeared for the first time that "this harmonious and happy people"[9] he had come to govern was divided into two mutually hostile parties, Conservatives and "Great" Liberals. Of the provincial species of the former type Haliburton was as intolerant as he had been of their kind in England. For the Liberals, of course, he had as great a contempt as always:

> "What that term Conservatism means, I do not exactly know; and it is said that in England Sir Robert Peel is the only man that does. But in a colony it would puzzle that wily and chameleon-like politician even to conjecture its signification. I take it, however, to be an abandonment of all principle, and the substitution of expediency in its place; a relinquishment of any political creed, and the adoption of a sliding-scale whereby tenets rise or fall according to popular pulsation. Great Liberalism, on the

[8] *Ibid.*, I, 49, 50. [9] *Ibid.*, I, 53.

other hand, is better understood, for it is as ancient as a republic. It rests in theory on universal suffrage and equal rights; but in practice exhibits the exclusion and tyranny of a majority." [9]

Between the two there was only this difference, that the one party desired all the offices of which the other stood possessed. "I have nothing in common with either Conservatism or Great Liberalism, which I believe to be mere modifications of the same thing," says Haliburton in words put into the mouth of his principal spokesman in *The Old Judge,* who continues, "I have done with politics long since. When I did think or talk of them, I belonged to a party now nearly extinct in these colonies — the good old Tory party, the best, the truest, the most attached and loyal subjects her Majesty ever had, or ever will have, in North America," [10] an assertion, which besides denying in its opening sentence the very fact that stands revealed at the close of the second, declares the political bias which pervades the whole book. Having thus affirmed his allegiance to a vanishing party, Haliburton digresses for a moment further to lament the fate of the Tories:

"They have ceased to recruit, or even to muster for several years; for who would enlist in a body that was doomed to inevitable martyrdom, amid the indifference of their friends and the derision of their enemies? Hunted and persecuted by rebels and agitators, they were shamefully abandoned to their cruel fate by those for whom they had fought and bled, and whole hecatombs of them were at different times offered up as a sacrifice to appease the sanguinary wrath of the infidel deities of sedition. Of late they have enjoyed comparative repose, for they have neither influence nor numbers now to render them objects of proscription or insult." [10]

Returning to the fickle conduct of the Nova Scotians toward their late Governor, Haliburton tells of his em-

[10] *Ibid.,* I, 55.

barkation for home, which takes place from a wharf on which the humbler sycophants are conspicuous by their absence, and where there is now room in plenty for "the respectable part of the community," including none but "gentlemen and ladies" and such official dignitaries as "heads of departments":

"Instead of the noisy and vulgar cheer with which he was received, the tremulous voice, the starting tear, the silent but eloquent pressure of the hand, convince him that, if he has not received all the support that was so spontaneously and insincerely offered to him, he has secured more of affection and regard than he could have expected in so short a time; and that his honest endeavours to benefit the country have been duly appreciated by all those whose good opinion is worth having."[11]

But sometimes, adds Haliburton, in an allusion that appears to fit best Lord Durham's departure from Canada, were it permissible to transfer the scene from Halifax to Quebec,

"the same idle and turbulent crowd attend a Governor at his embarkation that honoured his arrival, and when that is the case, and they form his exclusive escort, he has good grounds for self-examination, and he may, with propriety, ask himself what he has done to deserve such a degradation."[12]

It was such unfortunate outbursts of habitually violent prejudice as these that secured for *The Old Judge* a severer condemnation and a prompter dismissal than it deserved. Triumphant at last, as they were, it was not to be supposed that the Liberals would welcome it as any great contribution to their cause for enthusiasm, and the Conservatives, though defeated, could hardly have been expected to take much comfort from its definition of their status in party life. Of the spirit in which the book was

[11] *Ibid.*, I, 56, 57. [12] *Ibid.*, I, 57.

received by the provincial public the following editorial comment from *The Novascotian*[13] must be accepted as typical:

"It is notorious that all of our Judges have been drawn from one political party, and some of them distinguished, since their election, by open and flagrant acts of partisanship. Who, for example out of many, can read the last production of Sam Slick, entitled 'The Old Judge in a Colony,' now publishing in Bentley,[14] and the New York *Albion,* without seeing how intense is his hatred to the new system and everything — liberal — and that the same spirt which led to the attack of [*sic*] Lord Durham still animates the breast of his Honour."

The lack of favor into which the book at once fell in the colonies[15] still persists. For ten persons who have read

[13] Jan. 7, 1848.

[14] An obvious error for *Fraser's.*

[15] In England it met also with failure — to be best explained, perhaps, by the well-established indifference of the English to all things of purely colonial interest — thought it received a juster appreciation there than at home. Witness the review in *Hogg's Illustrator,* III, n. s., 3–6: "In this, as in the former works of 'Sam Slick,' we have vivid pictures of the persons and manners of those who came under the author's observation; and most amusing and graphic stories illustrative of their language and habits. But he only skims the surface of humanity after all, and, instead of going down into the deeper elements of the philosophy of life, he passes over or ridicules what he does not seem to comprehend. You see the 'Old Judge' peeping out in many of the author's independent observations. You see that he writes for the foreign office in many passages — and spices his didactics with the cream of gratitude, for the possession of his easychair. All his tableaux are bold, clear, and fine relieved, however, and some of them are keen, biting, trenchant, satire. . . . We cannot help admiring the vividness of the author's drawing, when he brings men and women together *en masse.* His knowledge of the world and its customs is then most clearly exemplified. . . . Few can perceive the outward characteristics more clearly than 'Sam

The Clockmaker not one can be found who has so much as looked into *The Old Judge*. And yet it was Haliburton's most earnest endeavor at Bluenose portraiture and the recounting of Bluenose tradition, and, in spite of its frequent flashes of anger and its prevalent tone of melancholy, the least imperfectly executed. The entire material worked into *The Old Judge* is, in accordance with its author's plan, purely provincial, encountered mostly, it would seem, in the years when he lived at Annapolis Royal and was engaged upon his History,[16] or picked up, along with many of *The Clockmaker's* anecdotes, while driving the Inferior Court circuit across country and around the South Shore. Apparently rejected as too long for Sam Slick's moralizing purposes, there is nothing of the left-over flavor, however, about the stories of the later compilation. Outside of the volumes of Charles G. D. Roberts, no collection of Nova Scotian legend or settlers' tales has been written with more power to move and interest, and in none other of Haliburton's own books has his delineation of local character and his recital of local incident been achieved with greater skill. *The Old Judge* is, indeed, in many respects, a diverting picture gallery of early provincial types and activities. The Bay of Fundy fisher-folk, the Acadian French, humorously drunken Micmacs, the Lunenburg Dutchman, the happy-go-lucky Negro, the dissolute Loyalist officer, the travelling New England quack

---

Slick' but as we said before, these volumes do not excite in us any high respect for his philosophy." In the United States the New York *Albion* (Feb. 24, 1849) welcomed the publication of *The Old Judge* in book form as the work of an author who "has become a celebrity."

[16] From which several passages of *The Old Judge* are rewritten with practically little change. See the comments on the Halifax Dockyard, the description of Shelbourne, the account of life at Port Royal, and of the Nova Scotian government prior to 1837.

and promoter, and that most thoroughly Bluenosed individual, the Jack-of-all-trades, equally at home on the farm, in the woods, behind the counter, or on shipboard; itinerant schoolmasters, horse-traders, cattle-sharpers, village bar-room habitués, and country louts and wenches; even sorcerers, witches, and "ghosts"; office-seekers, election orators, lawyers, squires, and justices; a bluff but genial old Governor, with his vulgarly overdressed wife and empty-headed, lisping daughter, his bored and boring aide-de-camp, his humbug of a chaplain, and a ridiculous Bishop; a varied assortment of admirals and navy captains, gruff old sea dogs every one; "cariboo" legislators and their awkward families from the country in the midst of Halifax society, and city social climbers ready to put up with any embarrassment and indignity only to be known of the elect; — all these and many others Haliburton presented to the readers of his "Life in a Colony," all vividly set forth, and apart from the overdrawn official set, all entirely credible. Equally as well sketched as his portraits are the scenes he reproduces from the out-of-the-ordinary occurrences and amusements which relieved the constricted routine of the life lived by the forefathers of the present-day Nova Scotians: the rough and ready administration of justice in the county courts before the elevation of professional men like Haliburton's father to the Inferior Bench, the hilarious and often depraved fun-making that regularly accompanied session days, Government House balls and country dances, parties aboard the admiral's flagship, regattas on the harbor, the mid-winter turnout of all Halifax on runners, "pickinick stirs" and rolling frolics, drinking bouts, moose-hunting and horse-racing, circuses, political meetings and temperance revivals, and the entertainments devised by storm-stayed travellers in wayside inns. At recounting genuinely mirth-

provoking anecdotes Haliburton never came nearer complete mastery than in *The Old Judge*, and in its mystery and adventure tales as well he exhibited a surprising control of the story-teller's art. Even in those with a tragic ending, in which generally his growing tendency to insincere and excessive pathos ruined his desired effects, he was fairly successful, and not only did he maintain an unusually high standard of excellence for him in character drawing and animated narrative but in describing the provincial landscape he also surpassed himself. Anyone who has been fortunate enough to have witnessed the glorious blazonry of a January sunrise on a " silver thaw " in Nova Scotia will appreciate the accurate values of the word-painting in the following passage:

" There had been, during last night and part of yesterday, a slight thaw, accompanied by a cold fine rain that froze, the moment it fell, into ice of the purest crystal. Every deciduous tree was covered with this glittering coating, and looked in the distance like an enormous though graceful bunch of feathers; while, on nearer approach, it resembled, with its limbs now bending under the enormous weight of the transparent incrustation, a dazzling chandelier. The open fields, covered with a rough but hardened surface of snow, glistened in the sun as if thickly strewed with the largest diamonds; and every rail of the wooden fences in this general profusion of ornaments was decorated with a delicate fringe of pendent ice, that radiated like burnished silver. The heavy and sombre spruce loaded with snow, rejoiced in a green old age. Having its massy shape relieved by strong and numerous lights, it gained in grace what it lost in strength, and stood erect among its drooping neighbours, venerable but vigorous, the hoary forefather of the wood.

The tall and slender poplar and white birch, which here and there had sprung up in the new clearings from the roots of old trees, and outgrown their strength and proportions, bent their heads gracefully to the ground under their unusual burden, and formed fanciful arches, which the frost encircled with numerous wreaths of pearls. Everything in the distance was covered with

the purest white, while the colours of nearer objects were as diversified as their forms.

The bark of the different trees and their limbs appeared through the transparent ice; and the rays of the sun, as they fell upon them, invested them with all the hues of the prism. It was a scene as impossible to describe as to forget."[17]

The device adopted in *The Old Judge* to conceal what Haliburton termed the "egotism of an author"[18] was similar to that employed in so many of his other works, a group of narrators, in this case three, behind each one of which he hides in turn. One of the three, an English sight-seer visiting the colonies preparatory to the usual tour of America, records the tales of the others. Unconvincingly enough, to him is entrusted the task of supplying the needed scenic and historic background, a duty which could have been capably performed only by a life-long resident of the country, so that from the very first he is accepted as Haliburton in his own person. Of the other two, one, "Lawyer Barclay," is the visitor's host at the village of "Illinoo," and his personal conductor about the province, and the second, "Mr. Justice Sandford, a retired Judge of the Supreme Court of Judicature," is the Old Judge himself, who furnishes most of the anecdotal amusement and political philosophy. In one extended section, however, called "The Keeping Room of an Inn," the entertainment is handed over to a number of thoroughly characteristic Bluenose countrymen, having command of greater dialect raciness than his Honor. It is in this group as its leading speaker and its political adviser, that Haliburton introduces his most successful embodiment of that sort of provincialism which was in reality the only New Englandism he knew well at first hand, one Stephen Richardson, previously identified as an actual being and

[17] *Old Judge,* I, 254, 255. [18] *Ibid.,* Preface, iii.

as one of the originals of Sam Slick,[19] who is a veritable reincarnation of the Yankee Pedlar toned down to Nova Scotian reality, though still a model of self-reliance and industry:

> "Now look at me," he is represented as saying, "I am six feet four in my stockings, when unravelled and bolt upright, and six feet five when stretched out on a bench; and, from the sole of my feet to the crown of my head, I am dressed in the produce of my own farm. I raised the flax and hackled it, and bred the sheep and sheared the wool that made the linen and the cloth I wear. I am sort of proud of it, too; for a farmer, according to my ideas of things, ought to be known by his dress, like an officer or a parson; and then, when folks see him, they'll know he ain't run up a bill at a shop, and ain't cutting a dash in things he han't paid for." [20]

Although Haliburton avowed that in writing *The Old Judge* he had in mind neither specific places nor individuals, there is not the least question that the village of "Illinoo," which he mentions as situated at the head of navigation on the "Inganish" river, fifty miles inland from Halifax, and boasting a tidal bore, and a bridge where the ferry used to cross the river, was his own native town of Windsor, slightly idealized perhaps, but Windsor nevertheless, "a neat thriving town, consisting of about a hundred and fifty wooden houses, painted white, after the prevailing American taste, most of them being decorated with green Venetian blinds, and all enclosed by board fences of different patterns," and not without charm since "the glare of the glassy white is somewhat relieved by the foliage of the gardens that everywhere surround the houses, and supply the inhabitants with fruit and vegetables." [21] And there were still to be found within very

[19] See above, 346, 347.
[20] *Old Judge,* I, 295.
[21] *Ibid.,* I, 7. See also 1, 2, 6, 250.

recent years "oldest inhabitants" willing to affirm that the original of the Old Judge himself was Judge William Frederick Desbarres, one of Haliburton's colleagues on the Supreme Court Bench, and that his "place," still called "Castle Frederick" as in the Judge's own day, at the "forks" of the Avon river above Windsor, was the identical spot which Haliburton describes with such attractiveness as "Elmsdale."[22] If some of the details of the picture refuse to fit this theory, it is probably because of Haliburton's desire to prevent as far as possible absolute identification. To Judge Desbarres, of course, the book which contains his partial likeness owes nothing that can be positively asserted to have been his personal opinion. Some of the stories related may have possibly been contributed by him, but the accompanying and interpolated commentary is undoubtedly Haliburton's own, as his contemporaries very properly decided.

Since the causes which had produced the representative Nova Scotian had not greatly altered following his first widely noted appearance in literature, Haliburton in *The Old Judge* had practically the same faults to find with him which in former works he had so vigorously and frequently deplored. The chief vices of the provincial were what they had always been, over-indulgence in political talk and over-dependence on "government jobs" or the results of popular legislation, and the worst curses of the country were still universal suffrage and upstart democracy. "In those interesting and valuable normal schools for statesmen — the debating societies, taverns, blacksmith's shops, taprooms, and the sunny and sheltered corners of the streets"[23] there was, as formerly, a winter-long discussion of public questions, with the result that the people were more ex-

[22] *Ibid.*, 7ff.
[23] *Ibid.*, I, 47.

pert at settling constitutional difficulties than in attending to their own urgent affairs.

"A man who can scarcely patch the tattered breeches of a patriot, can mend with great facility and neatness a constitution, and he who exhibits great awkwardness in measuring a few yards of riband manifests astonishing skill in handling the measures of government. . . . If Lord John Russell were to spend an evening at the public room of the Exchange in this town, he would find such topics as the corn-laws, free trade, responsible government, and the repeal of the union, disposed of to his entire satisfaction, in a manner so lucid, so logical and conclusive, that he could not fail to be both astonished and edified. He would be convinced that the Colonial Office should be removed from Downing Street, London, to Shark Street, Blueberry Square, Illinoo, where there are master minds capable of directing, reconciling, and advancing the complicated interests of a vast and populous empire." [24]

In these Nova Scotian cross-roads assemblies, doubtless it was, that the doctrine of equal rights was also fully discussed during the stormy days that had seen Haliburton's party removed from control, a doctrine that in Haliburton's opinion had led to no more obnoxious demand than that for an equal distribution of the Governor's favors both political and social. It was not enough that the gift of office had been made the reward of party zeal rather than a recognition of individual worth or public service, but democracy had insisted on thrusting its impudent face into the once pleasantly exclusive circles of Government House hospitality. The time had been when only the best of society was admitted to the Governor's entertainments, but each successive representative of the Crown had been obliged to extend the range of his invitations until "ignorance, awkwardness and presumption" [25] were displayed at what should properly have been dignified state occasions, or opportunities for familiar intercourse

[24] *Ibid.*, I, 47, 48. [25] *Ibid.*, I, 127.

between persons of approximately the same social rank and level. Indeed, as Haliburton might well say, "*We were but too happy before we became too free.*"[26] An attempt had once been made to check the effects of a general participation in the privileges of official graciousness by dividing the list of the Governor's guests into two sections, a smaller for intimate parties, and a larger, including the first, for the more crowded and less frequent affairs. But the arrangement had only produced distinctions not safe to emphasize.

"Subsequently," Haliburton reports, "the two have been merged into one, which has consequently become so diluted as to be excessively unpalatable. The best part have lost their flavour, without imparting it to the others: and the inferior, being coarser and stronger, have imbued the rest with as much of their peculiarities as to neutralise their effect, while they have retained enough to be as disagreeable and repulsive as ever."[27]

Having intruded into the privacy of the Governor and those entitled to become his friends, the socially undesirable were accustomed to return home to the country, where democrats with similiar aspirations were mostly recruited, and to contrast the facility with which their honors at the capital had been obtained

"with the utter impossibility of being introduced to the families of gentlemen in their own neighbourhood, [to] attribute the difference to pride or injustice, and naturally [to] attempt to vindicate their rights, by striving to reduce to their own level those who maintain this invidious reserve. It is natural for them to think, if the first officer in the colony — he who represents his sovereign, is willing to admit that there are no distinctions of stations, or to waive the consideration, that it is neither right nor expedient that subordinate people should maintain a different course. It is, therefore, the prolific parent of that respectable, as well as amiable and attractive, virtue known as 'Colonial Patriotism.'"[28]

[26] *Ibid.*, I, 131. [27] *Ibid.*, I, 133. [28] *Ibid.*, I, 129, 130.

This is, in all conscience, a small enough protest to make against popular pretension, but we must take Haliburton's condemnation of democracy as we find it. He had, as we know, sought to preserve his own exclusiveness at Clifton [29] and he was always deeply resentful of those who would not respect the rights of their "betters." Moreover the spite against the lower classes to which he here gives vent is no more petty than that recorded elsewhere in *The Old Judge.* Speaking of the dangerous necessity of "gentlemen" having to turn into the drifts of the narrowly broken out provincial roads in winter to allow the heavily loaded sleds of the countrymen to pass, he says:

> "In any other part of the world, this is an evil that would soon be remedied, but those who own or drive these teams are the multitude, and the gentlemen whose lives and property are perilled are but few in number; and, according to every rule of responsible government, it is held to be reasonable that the few should give way to the many." [30]

If Haliburton looked with regret upon the ruin wrought in Government House society through the effects of too much democracy, he had as little pleasure in contemplating the degeneration of the once harmless merrymakings of the people, such as the various "bees" and "raisings," into disquiet-breeding political meetings. Once the only form of amusement which the austere Puritanism and dissent of America had permitted, genuine "frolics" had disappeared with the passing of the mutual wants that had given rise to them, and they had been continued only as mere stupid gatherings where the populace in the absence of other diversions listened to and applauded the folly of demagogues,[31] whose harangues were sufficient to show any

[29] See above, 157.

[30] *Ibid.*, I, 285.

[31] Haliburton's own description of the plight of the provincial

intelligent person "how men and not measures, office and not principle, is [*sic*] at the bottom of our colonial politics."[32] Even the good old-fashioned custom of stimulating enjoyment of rural jollifications by the use of "vinous and fermented liquors" was now on these occasions frowned upon by the temperance cranks present, an inhibition of festivity which caused Haliburton to exclaim heatedly, "How often does it happen in this world that the most strenuous advocates for liberty in theory are the most exclusive and tyrannical in practice!"[33] From the following summary of electioneering eloquence, given as a sample of what was usually heard at a "political picnic," one may gather that the Nova Scotians at the time of *The Old Judge* were still too ready to depend on English bounty and good will,[34] and, as Haliburton, with true devotion to the Crown, takes care to imply, still unwilling to admit compensatory claims:

"The colonies, it was said, were filled with mineral wealth, so near the surface as to be exhumed with very little outlay; and all that was required was for England to open their native treasures at her own expense, and give all the returns to the people — an act of justice which, ere long, she would be compelled to perform, and which would long since have been spontaneously done, had it not been for certain influential persons in this country, who wanted the proceeds to be given exclusively to them. It was confidently

---

whom the growth of thickly settled communities and aversion to rural manners had induced to abandon "the warm hearted junketing of old," without developing a capacity for other forms of entertainment, is amusingly extravagant: "resorting to politics and religion for excitement, he rushes to the wildest extremes in both, howling for nights together in the protracted meetings of revivals, or raving with equal zeal and ignorance about theories of government." (*Ibid.*, I, 228.)

[32] *Ibid.*, I, 212.

[33] *Ibid.*, 213.

[34] See above, 167.

predicted that a railroad would be immediately constructed by the mother country between Halifax and Illinoo, and another between the former place and Quebec; as the local legislature had most liberally done its part by giving permission to any company to be formed for that purpose, to pass through the land of the crown, and take as much of it as was necessary, which they had a perfect right to do, the Queen being a mere trustee for the public, and, of course, having no interest whatever of her own. And much to the same purpose." [35]

The extraordinary ease with which the reforming orators desirous of acquiring political influence were enabled to flatter and deceive the provincial people by such empty promises of easy wealth and good times is explained by Haliburton as

" the inevitable result of the almost universal suffrage that exists in this province. People accommodate themselves to their audience; and, where the lower orders form the majority of electors, their vanity is appealed to, and not their judgement — their passions, and not their reason; and the mass, instead of being elevated in the scale of intelligence by the exercise of political power, is lowered by the delusion and craft, of which it is made the willing victim. Nova Scotians have been so often assured that they are the ablest, the wisest, and best of men, though their rulers are both ignorant and corrupt, and that they have a rich and fertile country, blessed with a climate more salubrious and agreeable than that of any other part of the world, that they begin to think that law and not industry, government and not enterprise, is all that is wanting for the full enjoyment of these numerous advantages." [36]

There had been at least one person, however, who had been honest enough to tell the Nova Scotians the truth about themselves and their prospects, and that was Haliburton himself in *The Clockmaker* series, with what gratitude on the part of his compatriots he proceeds as follows to remind them:

[35] *Old Judge,* 214, 215. [36] *Ibid.,* 230, 231.

"If any man were to say to them that their winters are long and severe, their springs late, cold, and variable, while much of their soil is wet, stony, or unproductive, and that toil and privation are the necessary incidents of such a condition; or venture to assert that, although the province abounds with mineral wealth, skill, capital and population are necessary to its successful development; or, that, although the innumerable streams that intersect the country in every direction are admirably adapted for manufacturies, the price of labor is yet too high to render such speculations safe or profitable; and, above all, to tell them that they are idle, conceited, and ignorant; and, so long as they maintain this character, they merit all their poverty and all their wretchedness; these demagogues[37] , . . . would call him a rabid tory, an aristocrat, an enemy to the people, a vile slanderer, and a traitor to his country."[38]

To save the Nova Scotians from their own stupidity and the snares of designing politicians, now that his own instruction had been disdained, Haliburton proposed a system of common school education, but, unlike that which his tenacity of years before had secured for them,[39] not "founded chiefly on the voluntary principle, which has proved as defective in education as it always has in religion,"[40] but, one infers, supported by some plan of general assessment. In thus abandoning the scheme for school maintenance for which he had imperilled his career in the Assembly, Haliburton did something more than go over to the view of the Council he had once so audaciously defied. He took one of his few later steps forward in the practical affairs of Nova Scotia, and, incidentally, put himself in agreement with Joseph Howe, who in 1841 had campaigned the province, unsuccessfully however, for an improved public school system to be kept

[37] One of whose speeches is summarized in the preceding paragraph.

[38] *Old Judge*, I, 231.

[39] See above, 104.

[40] *Old Judge*, I, 232.

up by direct taxation. It was only *popular* agitation to which Haliburton was consistently opposed!

Among the benefits towards which Haliburton had looked ahead in *The Clockmaker* as a means of possible relief for the backward condition of the Nova Scotians were those of cheap labor and machinery. In the estimation of Stephen Richardson, however, his expectations had apparently not only not been realized but the introduction of emigrant help and mechanical appliances into the province had made the Bluenoses rather more clamorous than formerly for government gratuity — by giving them more time to think and talk about it! Even the old Sam Slick-despised provincial was preferable to the lazier good-for-nothing type that had succeeded him:

"Folks are so 'tarnal lazy, they won't go any where without a horse to carry 'em; and so delicate and tender, they can't sleep any where but in a feather bed. We *do* know how to raise calves, that's a fact; but, as for raising men, we've lost the knack. It's a melancholy thing to think of. The Irish do all our spade work; machinery all our thrashing, sowing, and husking; and gigs and waggons all our leg-work. The women are no good neither. They are all as soft as dough. . . . Mills do all their carding, and spinning, and weaving. They have no occupation left but to drink tea and gossip; and the men do nothing but lounge about with their hands in their trousers' pockets, and talk politics. What the Irish and machinery don't do for 'em, they expect legislators to do. They actually think the sun rises in the Government-house, and sets in the Province building.

The last time I came from Halifax, all the idlers in the barroom of every public-house I stopped at got round me in a circle. 'What's the news, Steve?' says they. 'What's our members a-doing of for us?' I had one answer for them all. 'Their [*sic*] a-going to hire a nigger,' says I, 'to hold a bowl, and an Irishman to carry a ladle, and feed you all with spoon-victuals, for you are too infernal lazy to feed yourselves.' They didn't ax me any more questions, you may depend. No, sir, they are all good for nothing."[41]

[41] *Ibid.*, II, 137, 138.

For the Irish emigrants to Nova Scotia, Haliburton had as little use as for the Bluenoses they helped to keep indolent. They had proved, unfortunately, precisely of that quality against which as far back as the time of his correspondence with Judge Wiswall and the publication of his History he had protested that the country could well afford to do without.[42] Forced to leave home through "idleness, insubordination, and disloyalty," and coming into a province itself troubled with political unrest, and none too prosperous, they had proved even more undesirable than their poverty alone would have made them, and to make matters still worse, having been brought out in over-crowded and filthy emigrant ships, they had arrived to spread disease as well as sedition.[43]

"These men," he exclaims of the Irish influx, "who begin by begging or stealing, end by governing. Political power is possessed by the mass, and this stream of pauperism increases and pollutes it; and, whatever our neighbours may say to the contrary, civilization is retrograding, and not advancing. In this province, all our emigrants of late years have been poor and illiterate." [44]

Wrathful as Haliburton was with the humbler among his countrymen for their too eager expectance of aid from their local legislators, he matched their spirit of dependency by his own characteristic claims and suggestions that preferment should be secured to the more fortunate and capable classes by the Imperial government. Colonial sees, for instance, were the proper rewards for the colonial clergy, "most of whom," as he argues justly enough, "are natives, and all of whom are well educated," [48] and for the duties to be performed in the colonies, "infinitely better qualified than any English clergyman can possibly

[42] See above, 52.
[43] *Old Judge,* II, 245ff.
[44] *Ibid.,* I, 197.

be." [45] There is, too, in *The Old Judge,* the usual protest one learns to expect from Haliburton against the almost total exclusion of colonists from the Imperial services, and the unwilling promotion of those few who did contrive to obtain appointment in the army or navy.[46] There is also a demand, as vigorously expressed as if coming from the most strident of Liberal place-hunters, that whatever patronage the British authorities had to dispose of in the Nova Scotian Customs House establishment should be reserved exclusively for provincials.[47] Again, in spite of his obvious sympathy for Lord Falkland, Haliburton makes it unmistakably clear that English appointees as Governors made scarcely satisfactory colonial administrators.[48] Though no one can seriously take exception to Haliburton's desires to see those qualified among his fellow-colonists properly provided for by Imperial favor, it is, perhaps, no more than fair to remark that if colonial status bred the longing for preferment among the higher functionaries of the province, it was somewhat unreasonable on their part to object to a corresponding feeling among the people generally. There is, however, one slight indication in *The Old Judge* that Haliburton saw a way to producing a greater amount of independent pride among the colonials, both more satisfactory and more probable, than by either the distribution of patronage or his favorite project of a closer community with Great Britain, and that was by a union of the British American colonies into one confederation:

"To the Nova Scotian, the province is his native place, but North America is his country. The colony may become his home when the provinces become a nation. It will then have a name,

[45] *Ibid.,* I, 72 foot-note.
[46] *Ibid.,* I, 100.
[47] *Ibid.,* II, 11ff.
[48] *Ibid.,* I, 123ff.

the inhabitants will become a people, and the people have a country and a home." [49]

Thus again does *The Old Judge* show Haliburton moving politically forward even if with face averted — this time towards the dream of Lord Durham.

The book closes with a chapter on colonial constitutional changes, added, as Haliburton observes, for those who prefer information to amusement, in which he traces the evolution of responsible government in Nova Scotia. Describing first the various rights and duties as they were during the time of the old Council of Twelve prior to 1837, Haliburton proceeds to record the transformation subsequently effected by Joseph Howe and his reforming colleagues, down to the well-intentioned effort of Sir John Harvey to continue the no-party government of his predecessor,[50] and its immediate failure. Then had followed the return of the Liberals to power with a compelling majority, and the prompt demand for full surrender of the executive departments to their control, and an appeal to Downing Street for a final settlement of the issue. The result had been the epoch-making despatch containing the decision of the Colonial Secretary "*that no obstacle existed, in his opinion, in the peculiar circumstances of Nova Scotia, to the immediate application to it of the system of Parliamentary Government that prevailed in England.*" [51] The departmental system under majority rule which had been inaugurated in Canada had thereupon been at once transferred to Nova Scotia, and the Liberal victory was complete. Haliburton, however, despite his declaration of indifference, was prepared to make no more than a grudging acknowledgment that responsible government, in the sense in which the Liberals understood it, was an actual fact, insisting, rather, with Lord Metcalf in Canada, whose

[49] *Ibid.*, II, 228. [50] See above, 387, 388. [51] *Old Judge*, II, 310.

obstinacy had come near to wrecking the good work of Lord Sydenham there, that the Governor, about whose difficulties under the new order of things he was, of course, most concerned, still owed his responsibility directly to the Crown and not to the people. But whatever the theory of the Governor's relation to his sovereign, Haliburton pointed out that the practical success of his administration with a popularly controlled colonial executive was bound to be questionable, since a form of government which is "an *imperium in imperio* is a difficult and complicated thing,"[52] adding ironically, "but it will doubtless be a great gratification to the Parent State to find that, whatever little dissensions may hereafter arise, they can never be as in bygone days between the local branches of the Legislature, but between those bodies and herself; and what difficulties are there that concession will not remove?"[53] If concession is one and the same thing as conciliation and clemency, he had already answered his own question: "conciliation is the father, and clemency the mother of rebellion, and a d — d pretty child it is too; having all the ignorance and meanness of one parent, and the hypocrisy and cowardice of the other."[54] At its best Haliburton was extremely doubtful of any very beneficial results of the recently instituted experiment in colonial government. Speaking of the uncertainty as to what it involved, which, as he claimed, yet prevailed even among those who had been most eager for its commencement, he says:

"Alarmed at the consequences to which it might possibly lead, if fully carried out, or uncertain as to its practical effect, they have left it to its own operation, in the hope that experience might improve, or vigilance regulate, its motion. Colonists, who are subjects of the experiment, are not agreed among themselves as

[52] *Ibid.*, II, 312. [53] *Ibid.*, II, 313, 314. [54] *Ibid.*, II, 294.

to its import; some supposing that it means the transfer of the whole power of the Governor, who is virtually superseded, to his Council; others, that it is the substitution of party for moral responsibility, while not a few take the most extreme views, considering it, on the one hand, as a panacea for every evil, and, on the other, as fraught with destruction to all that is good, and loyal, and respectable in the country. If properly controlled, limited, and directed by the authorities at home, it is to be hoped it may be rendered, if not beneficial, at least innocuous, allaying the fears of the well affected, and disappointing the hopes of those who, having nothing to lose, are always the advocates of change." [55]

One faint prospect of seeing the mischief of reform undone Haliburton still seems to cherish when he questions the constitutionality of the Colonial Minister authorizing the "organic changes" which responsible government in the colonies produced, without first obtaining the sanction of the colonial and Imperial parliaments, but upon that point, as well as to whether the changes made were "conducive to the happiness of the people, and suited to their condition, or compatible with colonial dependence," [56] he makes no further comment than the inquiry itself suggests.

[55] *Ibid.*, II, 314. [56] *Ibid.*, II, 315.

CHAPTER XIX

THE ENGLISH IN AMERICA

The amount of literary work which Haliburton accomplished from 1851 to 1855 is fairly good proof that Joseph Howe was correct when he said that even with a reduced judiciary [1] the judges of Nova Scotia would have no more to do in the discharge of their professional duties than would occupy them for six months of the year at most.[2] In 1851 Haliburton published, in two volumes, the last of his historical works, *Rule and Misrule of the English in America;* in 1852 he revived Sam Slick in *Wise Saws and Modern Instances;* in 1853 he edited a three volume collection of representative American comic tales and sketches of the thirties and forties, *Traits of American Humour;* in 1854 he ventured another reappearance of Sam Slick in *Nature and Human Nature;* and in 1855 he returned to his editing with a second three volume collection of sketches, called *The Americans at Home,* mostly illustrative of American frontier life. *The English in America* [3] is Haliburton's most elaborately wrought attempt to vindicate his fears of republicanism, and its forerunner in the colonies, responsible government. Though it created no

[1] Such as was secured by the Judiciary Act of 1841. See above, 415.

[2] Howe, *Speeches and Letters,* I, 349.

[3] The original title page of the first edition omits the first three words of the complete title as now known. They were added later on the discovery that a previous work had been called by the shorter title. See R. G. Haliburton, quoted in O'Brien's *Haliburton, a Sketch and Bibliography,* 19.

little stir at the time of its appearance,[4] it is at present the least known of its author's later works. As a statement of his most deeply-rooted convictions respecting principles and practices of government and those accountable for their operation among the peoples under survey, however, it has a very decided interest and importance. In brief, it is an argument deduced from an examination of the political history of the pre-revolutionary period in America and addressed to "those statesmen to whom our destinies are intrusted," [5] and to "those restless politicians who imagine a republican form of government suitable to the inhabitants of every country in the world," [5] calculated to demonstrate to the former class the danger of continuing towards the French-Canadians [6] the policy of making concessions to fanatical democrats which had contributed to the loss of the American colonies, and to the other the futility of advocating for England, France, and especially for Canada, the adoption of that republicanism which the peculiar conditions attending the growth of the country had made possible and proper for the United States. As a groundwork for these admonitions Haliburton attempted to prove, first, that among the earliest settlers of New England, an independent democracy had been inherent and intended, to root out which no effective action had been

[4] See *The Irish Quarterly Review,* I, 522–548; Emile Montégut in *Revue des Deux Mondes,* n. p. 11, 1027–1045; New York *Albion,* Sept. 27, 1851; *The Church Review and Ecclesiastical Register,* Jan. 1852, 523ff. (See below, 509, 510.)

[5] *The English in America,* 14. The references are to the American, the one-volume, edition, New York, 1851.

[6] Whom Haliburton wrongly regarded as in the majority in United Canada, and hence as solely determinative of any policy adopted towards that colony. Nova Scotia and New Brunswick are expressly excepted from consideration in *The English in America,* 312, 313.

taken by royal or parliamentary authority; and, second, that a virtual republic, from which the later federal union was modelled, had been actually achieved among the descendants and successors of the Puritans long before the American Revolution, so that these colonists had thus had a unique training in practical self-direction.[7] From this latter conclusion it followed, of course, that only the improvement, not the invention, of a successfully operating democratic governmental machine was to be credited to the framers of the American constitution.

In preparation for this polemical treatise with its double-edged application, Haliburton submitted himself to a course of reading in the then existing authorities on American history and colonial theory, which was for his time unusually thorough.[8] When one considers the difficulty with

[7] Apparently Haliburton was under the impression that he was the first to write a political history of the American colonies reaching these conclusions (See *Eng. in Am.*, 13, 14). If so, he strangely disregarded the work of George Chalmers, *An Introduction to the Revolt of the American Colonies,* which he mentions as one of his sources, and from which he could have learned, as he probably did, (1) that parliamentary action had been repeatedly urged and refused in checking "the usurpations of colonial assemblies," and (2) that the colonies from the beginning had "a settled purpose to acquire direct independence." (See editor's preface, Chalmers' *Introduction,* Boston, 1845.) Haliburton must have found also generalizations even more closely resembling his own in the work of Richard Hildreth, of whose *History of the United States* he made constant use in *The English in America.* (See below, 509, 510.)

[8] Among the authorities cited are the following: Belknap, Fuller, Hildreth, Bancroft, Hutchinson, Douglass, Cotton, the Mathers, Hubbard, Minot, Prince, Morton, Chalmers, Chelmus, Winthrop, Thatcher, Holmes, *Colls. and Trans. Mass. Hist. Soc.,* Burnet, Duval, Hume, Blackstone, Bacon, Baxter, Eliot, Montesquieu, Adams, Kent, Prym, Macaulay, Neal, D'Aubigné, Davenant, De Pradt, Stokes, De Tocqueville, La Rochefoucauld, Hersault, Bradford, Story, Robertson, Upham.

which books of the sort he needed were to be obtained in Nova Scotia even so late as the middle of the last century, the amount of material which he contrived to cover in the pursuit of his investigations, which of course were original in no sense of the word, was little short of astounding, and it made him easily the first master of his subject in the eastern colonies. The vigor of the style in which he presented his findings matched the thoroughness of his preliminary study. Haliburton never wrote better, and never came nearer to commanding respect for the outworn political views to which he had so long adhered with perfect confidence in their unalterable right and justice. Though no one could question the sincerity with which his spirited defense of the Crown, Church, and Empire was undertaken in *The English in America,* yet it has to be confessed that the book detracted to a serious extent from his reputation for literary honesty. Among the sources he had consulted in compiling the data for his treatment of the political development of the American colonies was Richard Hildreth's *History of the United States.*[9] Unfortunately his use of this work had extended considerably beyond the limits of mere consultation. When *The English in America* appeared in the United States, from the press of Harper and Brothers, Hildreth, whose history had been issued by the same firm, addressed an angry protest to the publishers asserting that Haliburton had repeatedly borrowed, not only sentences and paragraphs, but whole pages, from his volumes, with the alteration of hardly a single word, and without the slightest intimation that they were not Haliburton's own. The scandal spread at once into the newspapers of the day, and *The Novascotian*[10] promptly challenged Haliburton to reply to Hildreth's charges of downright plagiarism. No public response was ever vouch-

[9] Three vols., 1849. [10] Nov. 19, 1851.

safed. Later there was printed in *The Church Review and Ecclesiastical Register*,[11] as part of a severely critical article on *The English in America*, a complete list of the principal borrowings which Haliburton had made from Hildreth without acknowledgment, as proof of the statement that the former had obtained "his leading ideas, most of his facts, and a large part of his very language" from the latter.[12] To this adequately substantiated indictment Haliburton remained as indifferently silent as to that laid nearer home. His only desire, seemingly, was that his dereliction from the customary obligations of authorship should

[11] New Haven, Jan. 1852, 553ff.

[12] The list, which has been verified as to its accuracy, follows:

Hal'n.	Hild'h.	Hal'n.	Hild'h.	Hal'n.	Hild'h.
53	I, 220, 221	208	II, 127	288	II, 540
67	I, 267	230, 231	II, 197, 198	291	II, 545
78, 79	I, 304, 305	249	II, 307, 308	295	II, 551, 552
94	I, 456, 457	251	II, 262	296	II, 555, 556
115	I, 496*	265	II, 514	297	II, 557, 558
143	II, 109	266	II, 508, 509	298	II, 560, 561
168, 169	I, 150, 151	272	II, 522	305, 306	III, 36, 37
177	I, 126	275	II, 524–526	306	III, 43, 44
184	I, 274–279	277	II, 527, 528	307	III, 47, 48
189	I, 286	283	II, 529–531		
191	I, 370	283–285	II, 533–536		
204	I, 190	287	II, 537, 538		

In the many other instances, however, in which Haliburton makes use of Hildreth the indebtedness is acknowledged, and at one point he refers to Hildreth, with very good reason to be sure, as "decidedly the most able and impartial of American historians." (*Eng. in Am.* 277).

* Speaking of Haliburton's attempt to "improve" this passage, the *Review* says: "Mr. Hildreth writes 'they [the colonists of Massachusetts] voted a present to the King, of cranberries,' 'special good samp,' and 'codfish.' Judge Haliburton copies thus — 'a present to the king of some cranberries, a *special good samp.*, as they are designated, and also some codfish'"!

be speedily forgotten. Fate has, heretofore, been kind to him.

The dedication of *The English in America* is too declarative of Haliburton's whole attitude towards the reform movement which had left him abjectly stranded on the shores of reactionism to be omitted from an account of his continuing allegiance to Tory doctrines. The light which it throws on his personal relations with Nova Scotian officialdom makes it valuable for another reason:

MY DEAR LORD FALKLAND,

I derive much more pleasure in having the opportunity of dedicating this Work to you, than, I am afraid, you will feel at your seeing your name attached to a book, containing many things in which I know you do not concur; and some that your friendship for me will cause you to wish were expunged.

I do not, by any means, desire to have it supposed, that it has obtained your sanction, as a Colonial Governor, for you have never seen the manuscript, nor have I had the advantage of your valuable advice and experience during its progress.

My reason for inscribing it to you, though two-fold, is altogether personal. First — It will recall to your mind an old friend, who has spent many happy hours in your society, and partaken largely of your kindness and hospitality, in time by-gone, when we discoursed *de omnibus rebus et quibusdam aliis*. Those days can never be recalled, or renewed; but memory would indeed be source of unmitigated pain, if it only reflected the dark shades, and not the sunny spots of life. This book will show you, that, my political views are unchanged. I should be ashamed of myself, if a dedication were necessary to prove that my affection is also unaltered. Secondly — I know of no one so conversant with the subject as your self. I never had a very exalted opinion of what is called "Responsible Government," knowing that the term was an indefinite one, and that an interpretation had been put upon it by many people, that made it almost amount to sovereignty.

To you was intrusted the delicate and difficult task of introducing it into Nova Scotia. Of the independence, judgment, moderation, and manliness, with which this delegated duty was executed, I say nothing, because in all ages, and in all countries, there have been

others, beside your Lordship, who could justly lay claim to these qualities. But one thing is most certain, that the late Lord Metcalf and yourself were the only two men, either in the Cabinet or the Colonies, who understood the practical operation of the system; for while you conceded to the provincial Assembly, the entire control of its local affairs, you maintained your own position as the Queen's representative, asserted your rights, as an independent branch of the Legislature, and at the same time upheld the Royal Prerogative. Those Governors wherever situated, who have put a wider and more extended interpretation on the term than yourself, have become mere ciphers; while those, who may wish to follow your example, will find, that unwise concessions have rendered the task both hopeless and thankless.

"Sibi quivis
Speret idem, sudet multum, frustraque laboret."

I am, my dear Lord Falkland,
Very sincerely and Affectionately,
Yours, always,
THE AUTHOR.

The historical events through which Haliburton traced the loss of the American colonies are too well known to necessitate a summary of them here. The views which accompany the narrative are, however, worth recapitulating, though not markedly different from what one would expect from his previous utterances. Towards the Puritans, whose duplicity in securing the transfer of their charter to Massachusetts under false pretenses he never condoned, he was not altogether unsympathetic, by any means. If he condemned their "austere manners and gloomy dispositions, their subtle reasoning and adroit evasions, their unrelenting persecutions, numerous banishments, and barbarous executions, their unmitigated hatred of episcopacy, and deep-rooted aversion to monarchical institutions,"[13] he was ready to praise "their patience under toil, privation, and suffering, their indomitable courage in resisting

[13] *Eng. in Am.* 40.

the numerous enemies, and overcoming the many difficulties with which they were surrounded, their energy, industry, and enterprise, their love of independence, their hospitality, benevolence, and public and private liberality, their brotherly affection for each other," [14] and many other correlative qualities, as well as their "frugality, temperance, purity of morals, simplicity of manners, respect for the authorities of their little State, both civil and religious, and similar virtues," [15] and he was willing to judge their acts on their individual merits, and in the light of the requirements of a life in an unsettled forest country, rather than to make a sweeping accusation against their conduct as a whole. But for their spirit of democracy, in even its earliest manifestations, however inevitable he granted it to have been, he had only the severest censure. Speaking of the usurpation by the people at large of a share in the executive and legislative authority of the General Court at Boston in 1634, and the ensuing inquisition of Governor Winthrop, he comments, "Democracy, however, is no respecter of persons. Where all authority emanates from the mass, all must finally bow to that source of power. . . . This universal law of politics was now made palpable to the founders of the republic." [16] For the New Englanders' approval of the "murder" of Charles I, their effort to mitigate Cromwell's remorse for the crime, and their shelter of two of the regicides, he had, of course, no measure of forgiveness whatsoever. And against the religious intolerance of the Puritans, especially towards the Episcopacy, he was equally unrelenting, since, in his opinion, it was the Church of England in protecting British subjects against the tyranny of Rome that had made dissent possible.[17] But what was possible was not

[14] *Ibid.*, 40, 41.
[15] *Ibid.*, 41.
[16] *Ibid.*, 51, 52.
[17] *Ibid.*, 205.

necessarily defensible, and the original sin of the Puritans was their desertion of the Established Church, a defection which eventually involved them in a harsher intolerance than that from which they had taken the opportunity to flee:

"By quitting the reformed and pristine Church of England to which they belonged, they gave up fixed principles for the unsettled license of that unmeaning term, Protestantism, and decent and necessary ceremonies, for an exemption from all orders and established observances. They measured what they were by what they were not; and, as they protested against the errors of Popery, very complacently assumed that the whole Roman Church was a vast and complicated error, and that whatever she did not believe, practice, or enforce — and that only — was primitive. In their pious horror of its unauthorized assumptions, they adopted a system that consisted of nothing else but human inventions, they resisted a prelate with disdain, for the Pope was a bishop. They suppressed confirmation, transferred ordination to the brethren, and marriage to the civil magistrate; and, as prelatic clergy bowed in reverence, and kneeled in supplication, they abolished both as superstitious, and voted to stand up boldly before their Maker, and plead guilty or not guilty like men. They did not think it scriptural to call the Apostles saints, who were unlettered men like Congregationalists (with no other possible advantage but the accidental one of being inspired), but they thought it by no means superstitious to appropriate the designation to themselves, or to regard old women as witches, and consistent with religion to execute them. They denied the authority of the General Council, composed of learned divines, but they established synods, consisting of men who compensated for their want of erudition by their superior gifts of extemporaneous preaching. They maintained the right of private judgment in religion, but they hanged Quakers; for it was manifest that they who differed from them had no judgment whatever. Determined to limit the authority of the clergy, they elected and ordained them themselves, and gave them to understand that the same power that made them could discharge them. They then, with singular inconsistency, invested them with privileges that made them infinitely more despotic than those of any Church in the world. They emigrated, they said, to avoid persecution. More

than fifty years elapsed before the Church of England could compel them to be tolerant. The fact that religious liberty was forced upon them by her efforts, is a triumphant answer to the calumnies that have been so liberally heaped upon her by sectarians and Romanists, at home and abroad." [18]

Haliburton wasted comparatively little scorn on the Puritans, however, concentrating his indignation rather upon those whom he held chiefly responsible for colonial independence. Royalty itself did not escape censure. The grants of charters made by Charles II to Connecticut and Rhode Island were described not only as injudicious but as the "most extraordinary" permissions for "a pure, unmixed, and unrestrained democracy that were ever issued by any monarch," [19] and the agreement of his "commercial ideas" with those of Parliament, leading to the acceptance and ordered enforcement of the Navigation Laws, was a base connivance of royal selfishness with popular injustice. Moreover, Charles's habits of indolence and indecision were frankly blamed for the impunity with which the colonists of Massachusetts were permitted to deny the applicability of the Navigation Laws to their trade, a denial which, coupled with the facts that they refused the right of appeal and asserted that of managing their internal affairs without being successfully challenged in either, insured their actual autonomy until the recall of their charter. And, finally, the Royal Commission which Charles authorized to investigate the complaints of colonial intolerance was stigmatized as the beginning of that useless precedent which had at length eventuated in the delegation of Lord Durham to Canada on a similar errand:

"This commission, as we shall see, was a wretched failure, as every successive one has been, down to that recently sent to Canada. They are necessarily productive of infinite mischief; they lower

[18] *Ibid.*, 127, 128. [19] *Ibid.*, 93.

the respect of the Provincials for the imperial Government, induce hasty and inconsiderate legislation, based on reports that are alike distinguished for their incongruity, impracticability, and disingenuousness; but, above all, they disgust by their reckless attacks . . . on the loyal gentry of the colonies, who are as superior to those erratic politicians in ability and practical information, as they were in integrity of conduct and consistency of character." [20]

Of James II's inconsistencies and vacillation between tyranny and benevolence towards the colonists Haliburton was as condemnatory as of the same faults in Charles II, but the full weight of his fury was reserved for those whom he held more chargeable with the loss of the colonies than either monarch, the unprincipled Whigs, who had called in the Prince of Orange to take a throne which by due process of law had never been declared vacant, and who had thus reduced the sovereignty of England to the level of an elective office:

" Their idea of the British constitution may be summed up in a few words, ' Might makes right,' a maxim that lies at the root of all monarchical and republican tyranny. When announced by a king like James these consistent politicians denounced it as despotism; when proclaimed by a government, founded on popular suffrage, they called it ' the voice of the people.' When might was deficient, parliamentary skill was recommended. Macaulay, who, from coöperation with them, is familiar with their principles, says *the essence of politics is compromise.* Modern history may be searched in vain for such an avowal as this, a maxim that substitutes expediency for principle, and party ascendency for integrity." [21]

The real culpability of the Whigs in precipitating the rebellion in America was not to be traced, however, to their self-assumed right of king-making, unsettling as the effect of their disregard of precedent had been on the colonists, but to their " inexcusable, unconstitutional, and monstrous

[20] *Ibid.*, 108. [21] *Ibid.*, 156.

project of taxing a free people."[22] Haliburton was never more thoroughly disdainful of the progenitors of the Manchester School than in explaining the motives that led them to place supposedly revenue-bearing restrictions upon colonial trade. It was the low-bred commercial instincts of the manufacturing and trading classes that had prompted them to adopt a policy of colonial taxation. Having lost most of the colonies by it, they had then proposed to basely desert the few that remained:

"There was a latent element, however, in this revolution [of 1688], doomed to exercise in after times a powerful and baneful influence in America. The commercial interest of the kingdom, by its enormous and increasing wealth, emerged from the humble condition it had hitherto occupied, and soon made itself felt and considered, if not respected. An incipient national debt, occasioned by an expenditure that exceeded income, required loans, and the coffers of the tradesmen were offered to the needy government, until the creditor was enabled to make his debtor sensible of his dependence. The seaports and the manufacturing towns rapidly encroached on the influence of the landed aristocracy, and boldly demanded a portion of power. This new class of aspirants for political influence, with the usual selfishness of trade, nurtured a jealousy of colonial commerce, and subsequently manifested a zeal in restricting it in a manner most beneficial to itself. It affected to see nothing in the transatlantic possessions but a market for English goods. Restriction and monopoly soon engendered a desire for taxation, and that, contrary to their narrow-minded calculations, not only failed in producing a revenue, but, by its ruinous expenses, nearly caused a national bankruptcy. True to their cold and selfish maxims, they regarded their balance sheet as their only sure guide, which, however accurate it may be in a counting house, is worse than useless to a statesman, who knows that it can never represent any thing more than the account of one branch of a vast, complicated, and dependent system, of which figures can convey no adequate idea whatever.

In their policy towards the old provinces, the commercial classes imagined they saw prodigious gain in prospective, and flattered

[22] *Ibid.*, 349.

themselves that compression alone was necessary to cause a constant stream of wealth to flow into England. In grasping at the shadow they lost the substance. The same sort of 'ready-made' politicians now despondingly announce that they have discovered in their tabular accounts, that the cost of protection exceeds the value of the return, and propose to abandon the colonies altogether." [23]

A feeling of insubordination in the colonies, suffered to become dangerous through early and long continued neglect; violent political upheavals at home, diverting attention from colonial agitators and affording them the protection of wicked example; flagrant mismanagement when the threat of colonial self-rule became too ominous to be longer ignored, culminating in the " unjust and illegal claim of taxation," [24] — these had been the steps which had led to the establishment of the United States of America. The lesson was humiliating, but the warning obvious. If independence had been forced from the English through their failure to control colonial constitutions, let there be more care in making colonial concessions. If there had been interference with just rights, let those of the remaining colonies be respected. If responsible government had been tried, and the colonial governors denuded of their power, let the consequences of such a policy be observed before it was too late. If colonial ministers had been conspicuous for their imbecility, let merit, not " party convenience or family interest, parliamentary influence or successful intrigue," [25] hereafter be the passport to authority at the Colonial Office.

Against the actual revolutionists and their leaders Haliburton had none of the objections to register that he recorded against the Puritan founders of the American nation. Indeed when he contemplated the results of their

[23] *Ibid.*, 158, 159. [24] *Ibid.*, 162. [25] *Ibid.*, 163.

constitutional labors, his feeling towards them amounted to positive admiration. The reason was not disguised:

"The introduction of democracy was the work of the Puritans. It went infinitely further than that of the revolutionists. The latter was conservative." [26]

The government provided by the constitution of the United States was therefore truly a "masterpiece of wisdom." [26] Compared with the unrestricted democracy of the New England states and townships it was much safer and it ensured more freedom, since with the ingenious system of checks and balances it protected property from the extortions of the masses, and through its abandonment of "universal suffrage, annual parliaments, and yearly governors" [26] with their inadequate and precarious compensations, left power where it rightly belonged. But in one feature in especial did it command Haliburton's unstinted praise: its provision for the distribution of patronage. To have left the award of office in the hands of the President alone would have given him unlimited means of corruption; to have entrusted it solely to the Senate would have made the Chief Executive contemptible. Nomination by the President with confirmation by the Senate was the sensible solution which avoided both evils. By no other means were the benefits of this expedient to be seen more clearly than by placing the method of appointing the judiciary of the United States in contrast with that pursued in Canada or in Great Britain:

In England the appointment rests with the minister of the day, and the choice is not always such as meets the approbation of the bar or the public. In Canada the general rule used to be, *caeteris paribus,* that the senior member of the profession was held to possess the best claim to preferment. Even that mode is

[26] *Ibid.,* 192.

open to serious objections, but the present practice is beyond comparison the worst to be found in any country. A seat on the bench is now a political prize, and the dominant party claims it for partisans. None of those high qualifications so essential to the efficient and respectable discharge of judicial duties, neither talent, learning nor integrity are recommendations equal to political services. High and honorable as the office of judge is in England, it is infinitely more so in the Great Republic. The commission is awarded neither by the personal friendship nor political sympathy of the President, but by the deliberate choice of that officer and the concurrence and approbation of all the States in the Union, as expressed by the collective voice of their Senators. Well may that country be proud of its judiciary, when so constructed; and the judges of an appointment that rests solely on great abilities, undoubted rectitude of conduct, and universal respect." [27]

Quite as unrestrained as his approval of the system of choosing the United States judges was Haliburton's enthusiasm over the superior attainments of those selected under its operation and for the American plan of committing ultimate authority to the Supreme Court:

"The judiciary of the United States, as we have seen, is its sheet anchor. Its power is far greater than that of England, and its practice far better than that of France. The decrees of the Supreme Council are final, the legislature possessing no appellate jurisdiction as in Great Britain. It respects the common law, and its own previous decisions, which is not the practice in France . . . ; while in learning, ability, and integrity, the judges are not surpassed by those of any other country in the world. The power intrusted to them is immense, and not only requires the exercise of all those high qualities to which I have referred, but great caution and consummate prudence, as well as firmness and decision of character. . . . No men can be better fitted for this difficult and delicate task, and they are justly entitled to all that respect, obedience, and veneration so fully and freely conceded to them by a reflecting, intelligent, and grateful people." [28]

[27] *Ibid.*, 195. [28] *Ibid.*, 359, 360.

On only one point did Haliburton doubt the complete effectiveness of the United States Supreme Court in carrying out the obligations of its high trust. Its power to enforce its judgments, resting as it did "mainly on public opinion, and a love of order and law in the citizens,"[29] might possibly prove insufficient when further expansion of territory and population had taken place, and "contests of an exciting nature between the States"[29] should arise. But these were eventualities which he hoped might not be inevitable.

Though Haliburton in *The English in America* displayed a greater willingness than elsewhere to believe that the success of the American experiment in democracy would be permanently enduring,[30] he was too much obsessed with the fear of one menace to the future well-being of the United States to be wholly optimistic about it. The fatal defect in the American constitution as he saw it was its failure "to endow or establish any form of religion."[31] In a country thus divorced from the steadying influence of a state church by the principle of a too universal tolerance, and subject to the rule of the majority through perfect equality in civil rights, there was an opportunity which the despotism of the Catholic Church had not been long in perceiving. Driven out of Europe, or foiled in its political machinations there, it was bent on securing a foothold in the United States that would sooner or later result in its complete domination of that country. The process was simple and the intention clear. Once America was sufficiently filled with Roman Catholic immigrants and their proselytes to command the largest share

[29] *Ibid.*, 360.

[30] Contrast his fears on this point as expressed in *The Clockmaker*, for instance. See above, 197.

[31] *Eng. in Am.*, 350.

of the votes cast in the national elections it would become little more than a Papal dependency. When that time arrived the much boasted freedom of worship in America would cease, for Romanists were never known to be content with merely equal rights. "They always aim . . . at supremacy, and when supreme they are ever intolerant." [32] Ridiculous as they now appear, Haliburton's apprehensions seemed reasonable enough to him. His own statement of the case shows how intense his convictions were, and how real his fears:

"In America they [the Catholics] know that the natural course of events will ultimately put them in possession of the government. Their language, therefore, is more guarded, and their conduct more circumspect [than it was in Europe]; but still no public man can safely resist them. Whatever party they patronize must succeed; and if that party expect to retain office, it must, as far as is compatible with the present Constitution, gratify their wishes. If there is any meaning in terms or definitions, a republican form of government is one that is built on the independent exercise by every individual of his own judgment. It is obvious, then, that if the head of a Church like that of Rome, can command, on any popular question, a million or two of votes, a power is brought to bear on the administration of the country, totally at variance with its institutions, and that, as his power increases the chief ecclesiastic whether he be a cardinal or archbishop, will gradually direct the affairs of the nation. In the meantime its fate and destiny, if not controlled, are at least most materially affected.

In the ephemeral experiment now trying in France, this power of the priesthood has been already sensibly felt, in her extraordinary intervention in the affairs of Rome; by which, after founding a republic at the expense of the blood of thousands of her subjects, she exhibited the sincerity of her love of freedom by crushing the first effort of the Italians to follow her example. That this body now exerts a powerful influence in the United States is most certain; and that it is likely to increase and greatly preponderate is more than probable; to assert broadly, however, that such a result is inevitable, would be, to say the least of it, presumptuous.

[32] *Ibid.*, 353.

. . . From the present aspect of things, however, in America, the necessary influence of the principles to which I have alluded, and the rigid discipline and peculiar nature of Popery, it is reasonable to entertain the apprehension I have expressed, that in the course of time the government of the country will be in the hands of the Romanists. Such a supremacy presupposes no previous change in the Constitution which has already ordained that the majority is to rule; so soon as they constitute the majority the sole power belongs to them as a matter of right. Until then, they must content themselves with exercising, as they now do, a controlling influence over the officers of the State." [33]

Whatever one may think of Haliburton as a political prophet, it must be conceded that here were charges which unless extremely well-founded it would have been more discreet to have omitted. But discretion was no part of Haliburton's valor. The Nova Scotian Catholics were long indeed in forgiving him the utter lack of this very laudable virtue in *The English in America.*[34]

In considering the lessons to be learned from the loss of the American colonies in connection with the affairs of Canada, Haliburton did little more than reproduce most of the arguments, and some of the abuse, from his *Bubbles of Canada* and the *Reply to Durham,* though in the light of developments since the writing of those books he had certain additional suggestions to offer. The openly expressed hope of the French-Canadian " patriots " was that they might obtain for their country a republicanism similar to that of the United States. Between their history and that of their neighbors there was, however, no analogy to prove that what had worked successfully among the one people would be anything but a failure among the other. In the American colonies Great Britain had begun with indifference and ended with tyranny; in Canada the process

[33] *Ibid.,* 356–358.

[34] R. G. Haliburton, in *Haliburton: a Centenary Chaplet,* 22, 23.

had been reversed, so that no complaint of progressive injustice could at any rate be honestly made by the Canadians. The American colonists had been trained through a century of self-government to undertake with assurance the full control of their own affairs when independence was demanded. They had developed agriculture, commerce, and manufacturing. They had been trained in defensive warfare by resisting and attacking the French and Indians. They had been wise enough to early inaugurate a system of common school and university education. They had, finally, evolved a constitution under which each class of the people was a check upon the aggression of every other.[35] None of these things was true of the French-Canadian habitants. And yet Lord Durham by a "hasty and petulant concession"[36] had deprived the Imperial government of its power over them, and had endowed them with all the privileges of an unfettered democracy and none of the restraints of republican institutions. "It was not an evidence of skill, but an act of despair."[37] The results were three-fold: the Governor had been rendered powerless and a shameful figure-head; the upper House, which had once been the most respectable branch of the legislature, and the safeguard of the Crown and the English-speaking minority, had become a mere duplicate of the Assembly; and the right to reject colonial laws, once beneficially exercised by the English parliament, and the right of colonials to appeal to British courts, had both been made purely nominal, and a "great constitutional check"[38] had, therefore, been destroyed.

[35] Haliburton wholly disregarded the fact that many of these statements applied not to the whole of the United States but only to New England.

[36] *Eng. in Am.*, 332.

[37] *Ibid.*, 331.

[38] *Ibid.*, 335.

For once in the course of his prolonged criticism of internal affairs in the colonies Haliburton was ready with a constructive plan for remedial legislation, though not with one likely to prove widely acceptable. To retrace the steps that had been taken, would, he admitted, be unwise. Having conceded much it was necessary to concede more, but in such a way as to restore the independent action of each branch of the legislature. To give "due weight and influence" to the upper House,[39] he proposed that its members receive their appointment not from a political leader but direct from the Crown or the people. If from the latter, as it would have to be, of course, then let the property qualifications of the electors be high enough to ensure "the exercise of discretion and judgment,"[39] and that of the candidates still higher. Their tenure of office should be for not less than ten years. To the Queen's representative some of his former authority should be restored, particularly that dependent upon patronage. Under responsible government the Governor's misuse of this power was theoretically restrained by his cabinet. Practically the whole control of the patronage passed to the hands of his chief adviser.

"But in a country like Canada, whose political leaders are the mere emanations of democracy, it is impossible to select so unfit a depository of power as the premier. He will inevitably use it to pay for past or purchase future services; he has personal friendship to gratify, or private insult to avenge. The exigencies of party will preponderate over the claims of justice, and the character of the public servants must in time be greatly deteriorated."[40]

To prevent the possibility of the abuse of patronage by either the Crown appointee or party leaders, Haliburton urged that the right to nominate for office be recognized

[39] *Ibid.*, 336. [40] *Ibid.*, 338.

as the sole prerogative of the Governor, with the right to confirm left to the upper House, as provided for by the "admirable institutions" of the United States [40] in their checks upon the President. That the system of self-government conceded by Great Britain to Canada could be thus modified to work advantageously, Haliburton did not doubt. But he was equally certain that any changes to limit its dangers could not be effected without the interposition of Parliament. "The Canadian politicians have tasted the sweets of despotism, and they will not limit or diminish their own power." [40]

In considering whether a republican form of government could be successfully maintained in either England or France, Haliburton was able to show, to his own satisfaction, that the history of the establishment of republicanism in the United States furnished as little from which to argue its suitability for Europe as for Canada. In America there was no limit to territorial expansion, no hierarchy, no aristocracy, no hereditary nobility, no need of an extensive army or navy, no serious menace from ignorance or illiteracy, and no burdensome pauper class. All were factors in the problem of government in Europe. And yet in spite of these obvious differences between the New World and the Old, sufficient in themselves to show the hazards of inaugurating American political methods among the Europeans, there were demagogues abroad unprincipled enough to urge democratic innovations upon their countrymen. Of the seriousness of the situation in England and the character of those responsible for it there, the following passage gives Haliburton's opinion with his usual lack of hesitancy in pronouncing judgment:

"In Great Britain there is doubtless a large republican party, composed of Chartists (a set of people not very distinguished for their intelligence); Radicals (one remove above their station

in level and means, but far below them in honesty); Political Dissenters (who have already made one attempt at a republic, and showed that they regard the scaffold and confiscation, with a true Christian spirit, as the means of testifying their love of their neighbors, and a just regard for the distribution of their intestate estates); Irish Romanists (whose object is the removal of Protestants, and the substitution of Papal ascendency); and a large portion of the manufacturing laborers, whom free trade has plunged into deplorable poverty, and whose passions have been inflamed by artful, unprincipled men. There is also a motley group of adventurers and amateur aristocratic politicians, who rest on these masses for support, affect to advance democracy, and play with it, as a tub to amuse the whale. There is nothing in such an assembly of craft or cant, of ignorance or vice, to win the support of honest men, while there is much to alarm the reflecting mind. Every enlargement of the franchise is a downward step toward democracy, while each successive stage is progressively more precipitous, and the gulf hitherto hidden in the distance is now plainly exposed to view. The landed proprietor, the main support of the monarchy, is rapidly losing his influence, with the decrease of his means, and his tenants unable to compete in the market with foreigners, call for a further reduction of rents, and a greater expenditure of capital, or threaten to migrate to America, where protective laws are in force, and likely to remain so, on a principle of prudence, that 'Charity begins at home;' and a maxim of necessity, that 'Self preservation is the first law of nature;' two fundamental rules worth all the sophistry of Sir Robert Peel, the declamation of Cobden, or the drivelling of platform orators." [41]

Desperate as the situation in the old country was, Haliburton had confidence that the true born Englishman was made of sterner stuff than to submit to a loss of his rights without a struggle. What the full consequences of an attempt to rob him of them would be, experience had already given fearful warning. It was incomprehensible that an experiment which involved overthrowing altar and throne, abolishing the peerage, abrogating the hereditary descent of land and titles, and complete demoli-

[41] *Ibid.*, 361.

tion of the frame-work of society, could ever be undertaken. That it could succeed was simply unthinkable. The disgrace of repudiation among certain of the more ultra-democratic of the United States was but slightly indicative of the staggering calamity that would befall Great Britain were once republicanism fully established there. The English masses were far more unpatriotic and unenlightened than those of America. Put them in control, and "does any rational man suppose . . . that one of the first acts of the legislature would not be to expunge the National Debt?"[42] Haliburton had no more direful threat of what lower-class selfishness, which, he asserted, was inseparable from democracy, would entail for the Empire, than this certainty of repudiation were the common people once to gain the ascendency.[43] Besides traditional conservatism, he counted on two other elements in the English national inheritance to hold in check the spread of traitorous doctrines abroad, the obvious perfection of the British constitution and the beneficent influence of the British monarchy. His highest praise for the former was that it was infinitely superior to that of the United States, wise and skillful as were the statesmen who had designed the government of that country, and as admirably adapted as it was to the people and circumstances of the New World. For the monarchy his laudation was nothing short of dithyrambic. In a passage which has been described as "among the most profound observations in the entire book"[44] he thus wrote of the institution which he regarded as the chief counterbalance to English republican tendencies:

[42] *Ibid.*, 362.

[43] The same threat is made in *The Attaché*, second series, II, 83ff.

[44] C. E. A. Simonds, *Acadensis*, II, 17.

"The effect of monarchy on the state of society is directly the reverse of republicanism; instead of depressing, it elevates its tone. It adds grace to beauty, polish to wit, ease to conversation, and elegance to letters; it adorns all that it touches; and who shall despise the influence and even the value of fashion? It has its own laws as well as the state, and rigidly enforces them; but it is no leveller. It has no republican pride, that disdains to acknowledge a superior, and yet avails itself of the possession of gold to inflict on others a feeling of inferiority; it gives place and honor to rank and virtue, and countenance and encouragement to timid or retiring merit. It is unselfish, it yields to all to captivate all. It has no argument, no politics, no schisms. Its very mirth is gentle. It is gay, but not boisterous; playful but not personal; scrupulous but not captious. It invests social intercourse with a charm. It limits and defines with precise accuracy and delicate shading the various minute differences that always exist in society, and assigns with equal skill and impartiality, to rank, reputation, and talent, their respective places." [45]

Haliburton's inquiry in the case of France admitted of no speculation. There the experiment of republicanism had thrice been tried and in each instance had failed. The revolution had levelled the monarchy and all forms of legal institutions in one general ruin for the erection of a republic. The sequel was what it must ever be after such a cataclysmic overturn: first, anarchy, then a military despotism. As a result "nearly every country in continental Europe has been deluged by blood, or devastated by fire and sword, to spread the fraternity of liberty, and diffuse the inestimable blessing of having no God, no king, and obeying no law but the free and unbridled rule of animal instinct or passion, which has been deified and worshiped under the specious name of reason, or the immutable right of man." [46] An effort to restore stability had been followed by the establishment of another republic, based on a limited franchise and restricted

[45] *Eng. in Am.*, 365. [46] *Ibid.*, 366.

qualifications for election. This shortly had been succeeded by a "base imitation of royalty"[47] which was in turn swept away by "the foul and feculent stream of democracy,"[47] still in full flood when Haliburton wrote. The obstacles which prevented republicanism in England had, it was true, been overthrown in France, but the conditions there were not yet, and never could be, an approximation to those in America. Infidelity, combined later with toleration, had left the field of religion open for Romanism — not the old France-loving Gallican form, but a Romanism directed by a foreign-trained priesthood, which, because of former persecution and its present frail hold on authority, looked to an Italian head of the church as the only source of its power and the sole object of its devotion. Without religion, said Haliburton, a republic cannot exist.[48] When that religion which the state must obey if it would rule was an alien Catholicism, as in France, rational republicanism was as difficult as when infidelity reigned supreme. Finally, universal suffrage and the single chamber system exposed France to all the disadvantages of a too popular and undivided control. A second chamber might, of course, be devised in imitation of the American Senate, but there were no separate, thoroughly organized state governments within the nation from which to draw well-trained legislators for senators as in the United States. Any upper House which the French might adopt would be, therefore, only a reflection of the lower. "I can see nothing," concluded Haliburton, in denial of De Toqueville's confidence in his people's ability to govern themselves by the American plan, "in the situation, institutions, or condition of the country to warrant us in indulging a hope that such a government as exists in America, or any that at all resembles it, can

[47] *Ibid.*, 370. [48] *Ibid.*, 375.

be introduced into France with any rational prospect of success." [49] The outlook for France was not, however, altogether without promise. She had been through the harsh school of experience, and had learned some of the truths there taught:

"France having voluntarily plunged herself into the caldron of democracy, after infinite suffering, has learned that licentiousness is not freedom, and *émeutes* and insurrections are not republicanism; that the right to make laws is of little value, without the disposition to respect, or the power to enforce them; and that that which began in confiscation and plunder, will inevitably be overtaken at last by the retributive justice of an inscrutable Providence. Her experience has also taught her that whatever be the form of government, despotic, monarchical, or republican (and that which is best administered is best), the only sure and solid basis on which it ever can be built is religion, which at once makes us good men and good subjects, by teaching us our duty to God and our neighbor, and renders our institutions, our country, and ourselves worthy of the protection and blessing of Heaven." [50]

One leaves *The English in America* with regret that Haliburton's fully matured gifts of eloquence should not have been employed in some cause more likely to insure a proper regard for them to-day. However partisan the purpose of this book, however extreme its criticisms, however perverse its doctrines, and however unwarranted its reputed thefts from one of the principal sources of its historical information, it attains to a much higher level of literary achievement than any of the volumes of popular humor which have won for its writer a world-wide fame. If for nothing else than its illuminating and accurate, though unconscious, revelation at first-hand of the effects produced upon certain types of mind by the revolutionary excesses of Europe in 1848, and by the activities of the Know-Nothing movement in America, its value as a con-

[49] *Ibid.*, 377. [50] *Ibid.*, 379.

temporary record ought never to have passed into so general a lack of notice as has long been the case. Rated at either its documentary or stylistic worth, it has been all too soon forgotten. Future estimates of Haliburton's contribution to the political literature of the British colonies should allow it a much more careful consideration than has hitherto been customary.

CHAPTER XX

TALL TALES OF AMERICAN LIFE

During and immediately preceding the period in which Haliburton was at work on *The Clockmaker,* and for a dozen years after it was written, the same, partially inexplicable, causes which in Nova Scotia produced a series of comic stories and sketches built up around one thoroughly individualized figure, and illustrative of life there, were operative elsewhere in America, especially in sections where pioneer or primitive conditions prevailed or were still well remembered. If the previous decade had been the era of Jacksonianism in American legislation, this was the era of Jacksonianism in American literature. Frontier democracy had become not only politically self-conscious and aware of its strength as a party power, it had also become articulate, or at least had found those who were ready and eager to speak for it. In print it proved as excitingly and as explosively "all-fired" as in politics. The result was the sudden development of a highly specialized form of writing, a purely American *genre* in the literature of local types and characters, one never practised before and seldom since. It was at once the epic of the "ring-tailed roarer" of the west, the ague-stricken "pore" white of the south, and the long-faced, shrewd-tongued, hard-bargaining backwoodsman from "down east." It revelled in such heroes as all-night rioters who preferred being "licked" to not fighting, hair-trigger marksmen, expert lynching "sweeteners," card-sharpers and thimble-riggers, ultimate consumers with insatiable thirsts, and "bad" men generally, but it found room also for the more

law-abiding, but quite as adventurous, traditional bullet-, snake-, and claw-proof dare-devil hunters, explorers; guides and trappers, and even for the much tamer yarn-spinning circuit lawyer, the ubiquitous village gossip, the travelling tin-man, the country greenhorn, and the rustic philosopher. In its more boisterous moods it featured such scenes and events as shooting-matches and reckless "killings," desperate encounters and "tight fixes" of all sorts, bee hunts, coon hunts, and "b'ar" hunts, gander pullings and quarter races, Mississippi river-boat rivalries, timber-jams and log-runnings, prairie fires and cattle stampedes, the horrors of swamp and desert; and, less thrillingly, among its milder entertainments, quiltings, picnics, and barn-raisings, horse swappings and other varieties of keen-witted tradings, the joys of "singin'-school" and the absurdities of "female colleges," electioneering ruses, ridiculous courtings and weddings, the discomforts of western travel and the difficulties with western "help," and highly improbable fish yarns without number.

With every phase of this unique literary phenomenon Haliburton was familiar from the earliest manifestation of its beginning until it had fairly run its course. It had sprung into existence almost simultaneously at two widely separated points on the very edge of the American area of undisputed occupation at a time roughly marked by the appearance of Davy Crockett's *Autobiography* in Kentucky and Seba Smith's *Life and Writings of Major Jack Downing* in Maine. To an unauthorized imitation of the latter and an anonymous forerunner of the former Haliburton, as we have seen, was indebted for the suggestion which led to his own particular use of the comic Yankee, the initial exaggerations of Sam Slick's speech,[1] and the

[1] The later and increasing number of his speech exaggerations came from Haliburton's further reading in tales of the Crockett cycle or its successors, as we have also seen. See above, 375.

clever tricks of his clock-peddling trade. It therefore happens that Sam Slick, in spite of his being an impossible composite of two utterly unlike regional types, and in spite of his spouting of anti-democratic principles, is properly to be classified with that group of only less well known, though often better drawn, humorously delineated characters whose activities, eagerly followed in the thirties and forties, are indications that the people living in the outlying and "back-settlement" districts were forcing their way into general recognition. Moreover he may rightly claim a place among the popular exemplifications of frontier life in his day for the additional reason that he, like the members of the New England pedlar fraternity of reality, had penetrated to the utmost limits of permanently inhabited America in quest of a community in which to profitably pursue his itinerant calling. And the lazy-boned class of Bluenoses, too, whom he found there and caricatured into some measure of self-respect, and into a more spirited defense of their democratic yearnings than his originator ever intended, no less than the people of the far West and South, were an actual frontier folk definitely removed from the amenities and conveniences of the older colonies or other homelands from which they or their forefathers had migrated. Thus both as contributor and borrower Haliburton wrote in close connection with the "frontier school" of American humor. It was a relationship that in each aspect remained unbroken. But even if Haliburton had not continued to write his descriptions of provincial peculiarities, or to draw upon other delineators of eccentric and out-of-the-way life, his intimacy with the productions of this school in yet another sense would not have been interrupted. He would always have been at least a diligent reader of "tall tale" literature. His innate taste for the odd, the whimsical, and the grotesque,

and for whatever was in any way laughter-provoking would have made him that. But his professional interest in that distinctive species of fiction made him a great deal more. From the moment he perceived its possibilities either for his own personal entertainment or for badly needed service in his various undertakings as a humorist, he collected it devotedly, persistently, tirelessly. Scarcely an embodiment of New England mannerism seems to have escaped him, and he was equally keen in his search for characterizations of the "wild and woolly." The necessity he was under of keeping Sam Slick supplied with suitable anecdotes of the "universal Yankee nation" must have caused him to garner incessantly from any and every available source of supply, and Sam Slick's constantly changing make-up shows that it was not merely American news items that he read in the process. No great amount of the "tall tale" material he encountered could be utilized as grist for his Clockmaking mill, of course, but its influence was always unmistakable in the output. Apparently, though at first unused, the more precious of his findings were carefully preserved for their own sake. It was the accumulated treasures of this prolonged scrapbook making that were finally offered to the English public in his *Traits of American Humour* and *The Americans at Home.*

The range of Haliburton's choice for the contents of his two anthologies, one wholly of extravagant and prodigally mirthful, the other in part of more sober but generally amusing, accounts of life and manners along the confines of America's fixed population, was as extensive as that ever-advancing border-line between cultivated farm and wilderness itself. He had swept the entire circuit of "Byeways, Backwoods and Prairies,"[2] and to all intents and

[2] The sub-title of *The Americans at Home.*

purposes had swept it clean. His ultimate sources are not always ascertainable, but an enumeration of such as may be positively determined will serve to show how thoroughly his selections represent every variation in the style of humor he evidently preferred most. In the wittier tradition of the east he began with its advent in the Letters of Jack Downing and ended with its consummation in Lowell's *Biglow Papers*. Among other works drawn upon within these limits, and belonging to the same order of New England character-studies, though without political significance, were Samuel Kettle's *Yankee Notions: A Medley*, G. H. Hill's *Life and Recollections of Yankee Hill*, W. E. Burton's *A Yankee Amongst the Mermaids*, W. J. McClintock's *Johnny Beedle's Sleigh Ride, Courtship and Marriage*, and Mrs. Frances M. B. Whitcher's *The Widow Bedott Papers*. In the more uproarious traditions of the South and West the gleanings embraced ludicrous or hilarious epistles all the way from Davy Crockett's apocryphal adventures to the mad-cap rogueries of Simon Suggs, "the Sam Slick of the South," [3] as divertingly set forth by Johnson J. Hooper in his *Widow Rugby's Husband*. Included within this generous assortment were extracts from such other once equally popular books as *Georgia Scenes* by Judge A. B. Longstreet, *Major Jones's Courtship* by W. T. Thompson, *The Big Bear of Arkansas* by T. B. Thorpe, *Streaks of Squatter Life* by J. S. Robb, *The Drama in Pokerville* by J. M. Field, *Odd Leaves from the Note Book of a Louisiana Swamp Doctor* by "Madison Tensas," "Sol Smith's" *Theatrical Journey Book*, F. A. Durivage and G. P. Burnham's *Stray Subjects Arrested and Bound Over*, W. P. Hawes's *A Week at the Fire Islands*, and two justly famous volumes, themselves made up of humorous selections from various authors, usually anonymous, *Polly*

[3] H. W. Watterson, *Oddities in Southern Life and Character*, 39.

Pease-blossom's Wedding, edited by T. A. Burke, and *The Quarter Race in Kentucky,* edited by W. T. Porter. Of a species of moderately risible entertainment that does not readily fall into either of these traditions there were numerous examples from Joseph Clay Neal's *Charcoal Sketches.* Mrs. C. M. Kirkland's *Forest Life* and *Western Clearings* are typical of the class of works from which the more straightforward descriptions of frontier conditions were taken. Many of Haliburton's offerings, of course, never appeared, outside his own volumes, in book form at all, and of those that did by far the greater part were originally printed as contributions to newspapers. As such it was that Haliburton usually obtained them, principally, as he himself acknowledges,[4] from the most famous of all repositories of exuberantly funny tales and farcical incidents drawn from over the whole of the United States, " that prince of sporting weeklies," William T. Porter's New York *Spirit of the Times.* Just when Haliburton began to read this journal it is difficult to say, but it was probably before the *Clockmaker* series was completed, since he speaks of the former's reputation as " the general receptacle of all these fugitive productions," of the kind he himself had hoarded, as having been established prior to his finding the " articles " from the pen of W. J. McClintock in the Portland *Advertiser,*[5] where their publication likely antedated that of McClintock's book [6] in 1841. Whenever it was, however, the fact that he industriously clipped from its columns is shown from the results of an incomplete examination of its files disclosing fully twenty-five per cent of his " tall tale " gatherings. Especially in the years

[4] Introductions to both *Traits of Am. Hum.* and *Ams. at Home.*

[5] Introduction, *Traits of Am. Hum.*

[6] *Johnny Beedle's Sleigh Ride, Courtship and Marriage.*

from 1847 onwards did the *Spirit* pride itself on being the foremost purveyor of this sort of "correspondence," maintaining its reputation largely by copying *ad lib.* from those other papers that most vigorously challenged its claim to such a superiority, notably from the Boston *Yankee Blade,* the Philadelphia *Saturday Gazette,* the Baltimore *American Turf Register,* the St. Louis *Reveille,* the New Orleans *Delta,* the New Orleans *Picayune,* the *East Alabamian,* and the *Southern Miscellany.* Therein lies the explanation of the remarkable diversity of Haliburton's array of contemporary humor. Of sources for it other than newspapers he speaks [7] only of a "variety of local publications," the nature or names of which elude discovery unless revealed in the list just given.

The energy and zeal with which Haliburton prosecuted the collecting for his *Traits of American Humor* and *The Americans at Home* did not extend to the editorial work done in connection with either. The Preface to the former has, indeed, all the appearance of being an exhaustive study on his part of the multiplicity, spread, and origin of American local dialects, and is freely illustrated by examples of pronunciations and words that might have been strange to his English readers had they not been made familiar, in many cases, by his own requisition of them in Sam Slick's humorous talk. In reality it is nearly as barefaced a piece of plagiarism as that which impairs the honesty of his effort in *The English in America,* though one which has not hitherto been pointed out. Apparently desirous of lending the air of well-informed authority to his dialect discussion, he freely appropriated what was necessary for his purpose from the investigations of Lowell and Bartlett. He furnishes, it is true, occasional footnote references to the Introductions of *"Biglow's Papers"*

[7] Introduction, *Traits of Am. Hum.*

and Bartlett's *Americanisms,* which give the clue as to where he got his information and illustrative data, but the indifferent use or absence of quotation-marks effectually conceals the ingenious manner in which he dove-tails excerpts, amounting in all to several pages, from the one into those from the other; while failure to indicate omissions or changes in order in what was taken from Bartlett results in a most amazing mosaic of dialect erudition which he passes off for his own.[8] The foot-notes which he supplies as to the authorship of the different selections in *Traits of American Humor* are almost negligible both in value and number, some of them being no more enlightening than that which assigns one to " Zeba Smith," or that which credits another to " Neal," or that again which announces that a single sketch out of a whole series whose writers are unnamed is " anonymous." Lowell's " The Editor's Creed " is reprinted without the least suggestion that Haliburton was aware that it was one of the same " Biglow's " *Papers* whose knowledge of American speech-habits had stood him in such good stead when he was preparing his prefatory remarks. Attempts to identify the authors of the various selections are abandoned altogether in the *Americans at Home.* The latter work, however, contains a brief Preface which seems to be entirely of Haliburton's composition in which he presents an interesting word of characteristic comment on the survival of strongly marked individualism among the pioneer class in America, has his usual fling at the mistaken impressions of the country conveyed by the ordinary run of travel-book writers, who as a rule noted only the homogeneous life of cities and who knew little or nothing of the picturesqueness of that to be

[8] Including even a paragraph taken by Bartlett from the *Edinburgh Review* which Haliburton reprints as though it were a quotation he himself had made directly from its original source.

met with on "the outskirts of civilization," and declares his intention of letting the Americans themselves describe the "men and character" of the frontier districts, since they had demonstrated their ability to do it "with more skill, freedom, and humour than any strangers who have attempted it." [9]

The title-page announcement that the contents of *Traits of American Humour* were "edited and adapted by the author of 'Sam Slick, the Clockmaker'" has evidently led to the misapprehension, still persisting, that Haliburton had "improved" many of the stories he had collected, "by translation into Sam Slick's inimitable lingo." [10] But to suppose him capable of thus mutilating the humorous nuances of differing dialects, the thing of which above all others in his compilations he was most thoroughly and delightedly appreciative, would be to suppose him capable of not only destroying one of the chief sources of his personal enjoyment, but of defeating the principal end of his labors, which as he himself explained was to allow the English public to see frontier America as it was, or as it was represented, in all the infinite variability, dialectical and otherwise, that existed between the North and South, the East and West. A comparison of seventy-four out of the eighty-one selections in *Traits of American Humour* with the forms in which they occur elsewhere shows only one to have been noticeably changed,[11] but even that may very well have been altered before Haliburton found it. In the Preface to his *Traits* he does indeed speak of his object as being "to collect, arrange, and preserve the specimens of American humour, and present them to the British

[9] Preface, *Ams. at Home.*

[10] O'Brien, *Haliburton, A Sketch and Bibliography,* 22.

[11] G. H. Hill's "Yankee Curiosity," from the first to the third person.

reader, in an unobjectionable shape," and states that in pursuance of his desire he has expunged from the Davy Crockett stories, which had been written for " the million " and not for the " educated classes," " many expressions unfit for the perusal of the latter," and also that " other numbers . . . liable to the same objections have been subjected to similar expurgation, which without affecting their raciness, has materially enhanced their value." But this, Haliburton's most remarkable concession to his readers' refinement, is quite a different thing from rewriting the language of the pseudo-Crockett or of any other " tall tale " character, into the artificial hodge-podge of Sam Slick's speech. A still more curious misapprehension exists respecting this work than that concerning the extent of its " alterations," — the mistaken belief that it consists wholly of specimens of Haliburton's own humor. As such it is still bought and read, and as such at least two editors of " representative American Humor " have reprinted from it,[12] and one of them[13] has, apparently, based his entire consideration of Haliburton as a writer upon what he discovered there.

Whether the *Traits of American Humour* or *The Americans at Home* were altogether the success in England Haliburton hoped they would be is somewhat doubtful. There is evidence at any rate that some of their selections were not quite the novelty abroad that they should have been. One reviewer[14] of the latter collection, indignant at being treated to nothing but " cuttings from American newspapers " already too well known to him, went so far as to accuse Haliburton of dishonestly lending his name to a

[12] James Barr, *The Humor of America,* 259, and C. R. Nyblom, *Amerikanska Humorister,* Introduction.

[13] Nyblom.

[14] In the *New Quarterly Review,* III, 261ff.

publisher's undertaking of "deplorable character," and one with which in any other way he had "mighty little" to do. Both were charges, however, which no person acquainted with Haliburton's predilections as revealed in Sam Slick's evolution would presume to take seriously. Besides their lack of novelty, another factor which may have counted to a considerable degree against the popularity of Haliburton's anthologies of American frontier humor was the competition they encountered in the English book-market from a single-volume work covering the same field,[15] which in contrast to a six-volume helping from a too frequently presented dish must have looked a tempting titbit. On the other hand, although the keenness of the English appetite for things American could hardly have been what it formerly was, it seems that Haliburton could still depend upon the authority of his name to secure for his wares a certain measure of ready acceptance in the old country, so that his editorial ventures may after all have proved fairly remunerative. But whatever the demand for *Traits of American Humor* and *The Americans at Home* at the time of their publication, it is, of course, no criterion of their actual worth. How great that was, and since how steadily enhanced, only becomes manifest to-day when they must be valued for what they are, two unrivalled collections of a distinctive literary type now no longer written, and two rich storehouses of the dialect curiosities, odd customs, and hard living conditions which once prevailed in an America that has all but vanished.

[15] *Dashes of American Humor,* by Howard Paul. From a publisher's note appended to the single-volume, and now only available, edition of this work it appears, however, that it was first brought out as a serial in *three* volumes, but even so, it was very much less comprehensive, and less representative, than Haliburton's nearly coincident collections.

CHAPTER XXI

THE LAST OF THE CLOCKMAKING

In *Wise Saws and Modern Instances* and its continuation, *Nature and Human Nature,* Haliburton made a desperate effort to regain for his final home-made observations on provincial affairs, and divers other related and unrelated topics, some of the general favor which his earlier ventures of a similar nature had enjoyed, by re-employing the services of his familiar spokesman, Sam Slick. The attempt was lamentably belated. As an oracle Sam Slick had already been definitely discredited in the provinces. Abroad he was rapidly losing his popularity. In the United States there had appeared but recently, with his message of genuinely democratic Americanism, that product of Lowell's native New England genius, Hosea Biglow, recognized instantly as the nearest approach yet made to the "real" Yankee. The day of the Bluenose counterfeit was practically over. Reintroducing the one-time clock pedlar to the world as a United States Fisheries Commissioner fully accredited from the government at Washington, as Haliburton did in these volumes, added not the slightest to his authenticity. And the decoy of presenting him in one work in search of a wife in his own behalf,[1] and in the second as an ardent match-maker for others, while it may have succeeded in luring a few into expectant book purchases, was in every other respect a complete failure.

[1] A palpable "tall tale" borrowing. See *Johnny Beedle's Courtship, The Courtship of Major Jones,* etc.

For Sam Slick was never more unmitigatedly tiresome than when recording his sentimentalizing and philandering, his surreptitious and indiscriminate huggings and kissings, and his mooning meditations on love, courtship, and marriage. But apart from the mistaken hope that the famous Clockmaker engaged in sweethearting would prove an irresistible attraction, there were other indications that Haliburton had at last reached the limit of resourcefulness to amuse and instruct at the same time. About both *Wise Saws* and *Nature and Human Nature* there is so unmistakable an air of wearied fag-endedness that one is impelled to conclude that Haliburton, left solitary and unoccupied at Clifton, had no other than himself in mind when he allowed Sam Slick to speak of feeling "kinder lonely here sometimes," and of having spent "some wet spells and everlastin' long winter evenin's lately in overhaulin' my papers and completin' of them," [2] while selecting the materials from which these two books were pieced together. But with all the refurbishing of old manuscript, and the addition of new, that had taken place, the results were far from satisfactory. Though the stories were not altogether lacking in comedy effects by any means, prolixity and sheer dullness in their telling more than counterbalanced their entertaining values. The discourses covered a truly amazing and unending variety of subjects, and not without much homely wit, shrewd sense, and telling application, but what chiefly distinguished Haliburton's endeavors to once more play the part of humorous expositor of things in general was an aimless and interminable loquacity, rather than any such profundity of insight into human nature as has been sometimes credited to them.[3] And

[2] *Wise Saws,* I, 4. The references are to the first edition.

[3] See F. B. Croften in *Haliburton: a Centenary Chaplet,* 85, and that most remarkable tribute ever paid to Haliburton's superior

only the seduction of past flattery could have induced him to believe that his previous reputation for sage aphorisms could carry into public esteem the self-conscious strivings of his freely italicized passages, which at their very best represented no higher degree of epigrammatic virtue than: "*Bungin' up a man's eyes is a poor way to enlighten them*";[4] or "*Thunderin' long words ain't wisdom, and stoppin' a critter's mouth is more apt to improve his wind than his understanding*";[5] or "*There is a private spring to everyone's affection; if you can find that, and touch it, the door will fly open, tho' it was a miser's heart*";[6] or "*A woman has two smiles that an angel might envy, that smile which accepts a lover afore words are uttered, and the smile that lights on the first born baby, and assures him of a mother's love.*"[7] Political comment in the spirited style of the *Clockmaker* and *Attaché* series was essayed but seldom, and what replaced it amounted to little more than despondent fault-finding.[8] Happily there were by way of pleasant interludes occasional examples of the skill shown in *The Old Judge* in graphic delineation of life and manners, to be found especially in the lively accounts of the Yankee fishermen's trickery and temerity in evading enforcement of British laws and in pilfering the potential

---

wisdom, quoted from the *Observer* in A. H. O'Brien's *Haliburton, A Sketch and Bibliography*, 20: "As a work embodying the cynicism of Rochefoucault [*sic*], with the acuteness of Pascal, and the experience of Theophrastus or La Bruyère, it may be said that, except Don Quixote, the present work [*Wise Saws*] has no rival."

[4] *Wise Saws*, I, 102.

[5] *Ibid.*, I, 199.

[6] *Ibid.*, I, 70.

[7] *Ibid.*, II, 52.

[8] And this in spite of Sam Slick's protest that he found "grumblin' and growlin' along the road" a poor way to travel through life. *Wise Saws*, I, 8.

wealth of their lazy Bluenose rivals,[9] or again in the infrequently exhibited faithful drawings of persons and places so tantalizingly real as to invite, though at this late date they defy, positive identification.[10] Such diversions, however, though gratefully encountered in the course of one's reading among the selections from Haliburton's too well picked-over assortment of anecdotes and philosophic dicta, prove wholly inadequate to relieve the otherwise unbroken tedium of the process, and altogether fail to offset one's honest opinion that whatever else may be fairly ascribed to the last of what Sam Slick "said, did, or invented,"[11] interest is certainly not one of its conspicuous features. One is forced to admit, in fact, that there was much reason if little charity in the judgment of a critic of Haliburton's own time, that because the Clockmaker's eccentricities had been an agreeable novelty when first proffered, and not unwelcome "twice-laid cold" or even "deviled," was no excuse for thinking highly of them when served up "hashed."[12]

If Haliburton had any purpose in writing *Wise Saws* beyond that of occupying his leisure with sermonizing at large, and possibly of turning an honest penny while his fame still made authorship profitable, it is to be discovered in those scattered remarks in which he sought to impress upon the Nova Scotians the value of their coastal fisheries, and, incidentally, to point out to the English the worth of their North American colonies. Perhaps, too, he had it in mind to make a sort of indirect protest against

[9] For evidence that Haliburton did not exaggerate in these accounts see G. R. Young, *B. N. A. Colonies,* 48ff.

[10] Who, for instance, was the living original of "Aunt Thankful," that delightful though faded reminder of Loyalist gentility, "before good breeding was reformed out of the colonies"? *Wise Saws,* II, 106ff.

[11] Sub-title, *Wise Saws.* [12] *Acadian Recorder,* June 18, 1853.

the impending Reciprocity Treaty of 1854, which, as he may have feared would be the case, admitted the Americans to colonial fishing privileges without, so it was believed in the maritime provinces, securing proper concessions from them in return. In repeating the lessons of the first *Clockmaker* and again directing the attention of his people to the extent of the natural resources at their disposal, Haliburton resorted once more to the use of that caricature with which he had formerly sought to rouse them from indifference to their prospects. Whether his description of the Bluenoses stretched out at full length in the sun watching the crows fly overhead while the mackerel went uncaught, or complaining about the "weavel" when they had planted no wheat, and preferring imported "superfine" to potatoes, was not more applicable to the type common in the slack times that had inspired his earliest satire than to the comparatively flourishing era of the eighteen-fifties may well be questioned. But even so, there is little doubt that the Nova Scotians of the later period spent too much energy lamenting the neglect of the British revenue patrol to drive the Americans off the fishing grounds, and too little in active competition with the Yankee poachers. And it is very probable that they needed to be reminded that their coast waters were their real "gold diggings," and that they ought to "turn to and make seines, and catch the fish that Providence had sent in such immense numbers to their very doors."[13] They would have been more likely to accept this or any other advice, however, had it not been accompanied by the ridicule to which they had grown unduly sensitive and the oft-repeated assertion, in which they thoroughly disbelieved, that they were wasting their time making speeches and reforming the provincial government.

[13] *Wise Saws*, II, 153, 154.

Apart from his suggestion on the fisheries situation there is scarcely anything in the consideration of the colonial problem which Haliburton had to offer in *Wise Saws* that is different from what had been developed in his preceding works. He continued to hate, despise, and detest "politicians of all sorts, sizes, shapes, and names,"[14] and to declare that self-government in the colonies was an impossibility.[15] "Reform" was still merely a cant term,[16] conservatives and liberals remained tarred with the same stick,[17] and Sir Robert Peel was yet the scape-goat for all the evils of English political compromise.[18] The electoral extensions of 1832 and the free-trade policy of the "Brummigin' patriots" were denounced as roundly as ever.[19] Liberality in religion was defined as "abusin' your own church, and praisin' every other sect,"[19] and in politics as talking "as loud as you can bawl, and as long as you can stand, on the five points of the people's charter."[20] In the single passage devoted to Empire organization, however, while the same complaints against the inferior status of the colonists and the same demands for their admission to Imperial patronage that had been made by Haliburton so often before were repeated, there appeared something entirely unique among his contributions to the discussion of this question, the doctrine of trade preferences between Great Britain and her colonies, now accepted as fundamental to any modern plan for a closer federation of the far-flung British dominions. Sam Slick, who has all the talk to himself in *Wise Saws*, thus explains his ideas on this proposal and others connected with it:

"*Our Colonies.* Come, that's pretty well. Every Englishman, from a member of Parliament that addresses you by letter, Halifax,

[14] *Ibid.*, I, 263.
[15] *Ibid.*, I, 283.
[16] *Ibid.*, II, 159.
[17] *Ibid.*, II, 166.
[18] *Ibid.*, I, 79.
[19] *Ibid.*, II, 160.
[20] *Ibid.*, II, 161.

Nova Scotia, Upper Canada, and a governor that has nothin' to do now but sign his name to papers, and talks of his measures, who has no measure but what he left at his tailor's in London, down to Jack Tar, says '*our colonies,*' and thinks he is part owner of these possessions, and looks down on the poor outlandish provincials with a condescending air of superiority. Well, the colonists look upon all these wiseacres with the same feelins of pity as men who are not only wrong-headed, but simple people who don't know what they are talking about. *Such folks with such feelins ain't likely to benefit each other much.* The organization is wrong. They are two people, but not one. It *shouldn't be England and her colonies,* but they should be *integral parts of one great whole* — all counties of Great Britain. There should be no taxes on colonial produce, and the colonies should not be allowed to tax British manufactures. All should pass free, as from one town to another in England; the whole of it one vast home-market, from Hong-Kong to Labrador. They should be represented in parliament, help to pass English laws, and show them what laws they wanted themselves. All distinctions should be blotted out for ever. It should be no more a bar to a man's promotion as it is now that he lived beyond seas, than livin' the other side of the channel: it should be our navy, our army, our nation. That's a great word; but the English keep it to themselves, and colonists have no nationality: they are like our free niggers; they are emancipated, but they hante the same social position as the whites. The fetters are off, but the caste, as they call it to India, still remains. *Colonists are the pariahs of the Empire.* They have no place, no station, no rank. Honours don't reach them; coronations are blank days to them; no brevets go across the water except to the English officers who are on *foreign service* in *our colonies.* No knighthood is known there — no stars, no aristocracy, no nobility. They are a mixed race; they have no blood; they are cocktails. John Bull, you are a fool; . . . Blot the word colonies out altogether, incorporate 'em all with England, body and breeches — one people, one country, one Parliament." [21]

Strange and unreasonable as it may seem to anyone who has followed Haliburton's advocacy of improved colonial position throughout its numerous repetitions in his

[21] *Ibid.,* II, 221–223.

works, this renewed consideration of the subject was sharply challenged at home on the ground of inconsistency. The explanation of this criticism may be traced to the fact that the same fatality of indiscreet utterance that had pursued Haliburton through life had again tricked him into an unfortunate overstatement, and one which was apparently irreconcilable with any real devotion to the provincials' future interests. In a speech, probably made while he was abroad in 1853,[22] which at worst could have been nothing more than an over-excited endeavor to convey to an English audience some notion of the resentment felt among colonials at their neglect by the Imperial authorities, though it may also have been a reflection of his growing dissatisfaction with his homeland, he had declared that Nova Scotia was but a poor country, and one from which he would gladly emigrate even if it meant to be transported as a convict![23] When, therefore, he took it upon himself in *Wise Saws* to urge the right of his own among other colonies to be incorporated into an Imperial union on terms of equality with the older divisions of the Empire, his fellow-countrymen, who the longer he wrote about their concerns thanked him the less for it, were not loath to tell him that such a proposition came with ill-grace from one who had " wilfully traduced " his native land and made it contemptible in the eyes of Englishmen. About the consistency of Haliburton's imperialism there was, of course, not the least room for doubt, however much it may have seemed to contradict his valuation of Nova Scotia as a place of residence. Indeed at the time of his renewed Clockmaking his zeal for an Anglo-Saxon union extended beyond a mere British federation to the

[22] James, *Nova Scotia Law Reports,* I, 72.
[23] *Provincial Magazine,* II, 353–357.

promotion of an *entente cordiale* between the United States and Great Britain.

"Now we are two great nations," he says through his usual medium, "that's a fact — the greatest, by a long chalk, of any in the world — speak the same language, have the same religion, and our constitutions don't differ no great. We ought to draw closer than we do. We are big enough, equal enough, and strong enough not to be jealous of each other. United we are more than a match for all the other nations put together, and can defy their fleets, armies, and millions. Single, we couldn't stand against all, and if one was to fall where would the other be?" And more prophetically of an aim since cherished by many, presumptuous as it may appear: "our duty and our interest is to unite as one, and humanize, Christianise, and civilise the whole world."[25]

The good-will which Haliburton here evinced for the United States more warmly than anywhere else except in *The English in America,* diminished appreciably on his removal to the other side of the water whence the Americans looked rather less worthy of so enlightened a partnership. But strained relations between the two countries growing out of the efforts to suppress the slave traffic, and out of the events of the Civil War, had quite as much to do with it as any change in the point of view.

For the extra pains he was at to instruct the public by means of Sam Slick's *Wise Saws,* Haliburton received no better thanks from certain among his countrymen than to be informed that he, "Rhadamanthus Haliburton," had no "special commission from Heaven to bring up to judgment the world in general, and the English, Yankee, and British colonial portion of it in particular,"[25] and to be criticized for his indifferent skill in character drawing, his superficial knowledge of human nature, his inadequate mastery of the New England dialect, the coarseness and

[24] *Wise Saws,* II, 257, 259.

[25] *Acadian Recorder,* June 18, 1853.

irreverence of his jests, and the uncalled for levity of his treatment of questions really important enough to require serious presentation. In *Nature and Human Nature* Haliburton disclosed the fact that he had taken this reception of its predecessor keenly to heart, and went a good deal out of his way to defend himself against the charges made. He protested that his personal opinions "of men and things" and those of Sam Slick were not to be identified,[26] that the habit of the latter in shifting from the speech of the rural down-easter into the idiom of literary English, and of intermixing with his native diction phraseology gathered from various parts of the American South and West, was perfectly in keeping with both his character and accomplishments,[27] and that anyone who would object to his frank humor was merely a mock-modest prude.[28] But the most significant indication of his desire to conciliate popular disfavor was the virtual admission that his caricature of the Nova Scotians of two years before was undeserved.

"Still, Squire," confessed Sam Slick, "there is a vast improvement here, though I won't say there ain't room for more; but there is such a change come over the people, as is quite astonishing. The Bluenose of 1834 is no longer the Bluenose of 1854. He is more active, more industrious, and more enterprising. Intelligent the critter always was, but unfortunately he was lazy. He was asleep then, now he is wide awake and up and doing. He never had no occasion to be ashamed to shew himself, for he is a good looking feller, but he needn't no longer be skeered, to answer to his name, when the muster is come and his'n is called out in the roll, and say 'Here am I *Sirree.*' A new generation has sprung up, some of the drones are still about the hive, but there is a young vigorous race coming on who will keep pace with age."[29]

[26] *Nature and Human Nature,* I, 11. The references are to the first edition.

[27] *Ibid.,* I, 17, 23.

[28] *Ibid.,* II, 188.

[29] *Ibid.,* II, 170.

But if Haliburton had to acknowledge himself in error, he was not disposed to lose any credit through his avowal:

> " Now, I have held the mirror up to these fellows to see themselves in, and it has scared them so they have shaved slick up, and made themselves look decent. I won't say I made all the changes myself, for Providence scourged them into activity, by sending the weavel into their wheat fields, the rot into their potatoes, and the drought into their hay crops. It made them scratch round I tell you, so as to earn their grub, and the exertion did them good. Well, the blisters I have put on their vanity, stung 'em so they jumped high enough to see the right road, and the way they travel ahead now is a caution to snails." [30]

Nevertheless there was, as Sam Slick had intimated, room for even more progressiveness in Nova Scotia. It was not any inherent laziness on the part of the provincials, however, that was to blame for the backwardness and misfortune that still persisted among them, but the stupid legislation of the British " cottonocracy." By breaking up the colonists' monopoly of intercolonial and West Indian trade and throwing it open to the Americans, not only without an equivalent but in the face of prohibitory duties, Imperial law-making had become the chief cause of whatever remained of Bluenose poverty and stagnation.[31] At the moment when *Nature and Human Nature* was written it was convenient to fix the principal responsibility for continued distress in the colonies upon the Reciprocity Treaty of 1854, and especially upon its chief sponsor in Canada, Lord Elgin, the Governor General, who had recently made himself hated of all Tories in the country by signing the bill indemnifying the Canadian rebels of 1837–38. In the matter of the negotiations leading up to the " Elgin " Treaty Sam Slick boasted that the representatives of his nation had rowed the British diplomat

[30] *Ibid.*, II, 171. [31] *Ibid.*, I, 68.

"up to the very head waters of Salt River in no time,"[32] and had consequently got the long end of the bargain. When Haliburton contemplated the effects of what to him appeared giving away for nothing the Nova Scotian fishing privileges, he abandoned as no longer of interest the attempt begun in *Wise Saws* to impress upon the provincial people the value of their off-shore possessions, and sought no further to induce the Bluenose fishermen to profit by the industrious example of their Yankee competitors.[33]

Thoroughly well-satisfied, however, with the service he had previously performed for the indifferent and inefficient at home by means of his mirror of scorn, he was minded in *Nature and Human Nature* to do something similar for those of the same sort who occupied positions at the Colonial Office. Had the Downing Street officials turned towards his looking-glass they would have seen what had already been many times reflected there before, the same incompetency that had ever bungled colonial administration and that had always denied its ignorance of colonial affairs, refused to recognise colonial merit, and passed over suitable candidates for colonial governorships. But Haliburton had also an entirely new and startling set of considerations to bring to their attention. He solemnly assured them that the things they had brought to pass in British North America could not long remain as they were. They had granted responsible government to the colonies, and had thus put them in the way of independence, and they must now be prepared to face the eventualities which their policy had made inevitable. "Do you suppose for a moment," he asked, with Joseph Howe in mind for an example, "that proud-spirited, independent, able men . . . will long endure the control of a Colonial minister, who they feel, is as much below them in talent,

[32] *Ibid.*, I, 25. [33] *Ibid.*, I, 31, foot-note.

as by accident he may be above them in rank?"[34] "*A Colonial Office in which there is not a single man that ever saw a colony, is not exactly the government to suit me,*"[35] was his even more pointed declaration that the time had come for a change from the irritating English methods of ruling the colonies by uninformed clerks and ill-qualified party place-men. Three possibilities for the future of British North America presented themselves: annexation to the United States, closer incorporation with Great Britain, including representation in Parliament, and independence. Of these the first was rejected as improbable since it was undesirable both to the Americans and the colonists. The United States was already in sight of disintegration owing to the extent of its territory embracing divergent interests, and the colonists, naturally, were not partial to being united with a people who had always patronized them when they did not threaten. The second, the dream of an Imperial Federation, had been too long cherished by Haliburton to be easily given up, and he clung to it still, though more in desperation than assurance. There were difficulties, and serious ones, to prevent its realization, he had to admit. It involved, for instance, displacing some *Irish* members of Parliament to make room for those from the colonies. The House of Lords would have to be thrown open to the colonials, for they had been granted too much to be content with anything save full participation in all honors. And there was the problem of the national debt and Imperial taxation to be solved. While none of these were insuperable obstacles to a statesman, "with a clear head, a sound judgment, and a good heart,"[36] Haliburton was not altogether confident that such a statesman could be found, but of the expediency of making the readjustments between mother country and dependencies necessary

[34] *Ibid.*, II, 214. [35] *Ibid.*, II, 224. [36] *Ibid.*, II, 226, 227.

to secure the union he proposed he was absolutely certain. ". . . for the day Great Britain parts with these colonies," he warned, " depend upon it, she descends in the scale of nations most rapidly." [37] In doubt, however, of bringing the British ministry to share his belief in this prediction, he turned to discuss the recognition of their independence as a possible fate for the colonies. If so colossal a disaster as the dissolution of the Empire were actually to be decided upon, and he evidently believed it might be, there was at least no need of exaggerating its consequences by forfeiting the affections of the colonials with continued affront before it occurred. Let the separation it entailed be effected amicably and planned for thoughtfully. One American Revolution was enough. The colonies had been allowed through neglect to drift into a state of virtual autonomy; steps should now be taken to school them to maintain it in complete integrity. " The way ought to be prepared for it," he counselled, " by an immediate federative and legislative union of them all." [38] Thus, at last, did Haliburton come to give his endorsement to Lord Durham's earliest, and never wholly relinquished, project for a Canadian commonwealth, but the interpretation he put upon its purpose showed that as yet he had none of the great Empire-builder's understanding of how it could serve the cause of an Imperial Britain, and none of the enthusiasm for it that would justly entitle him to a place in the then rapidly increasing rank of ardent Canadian confederationists.

Another advance, though a slight one, in Haliburton's political thinking is an admission in *Nature and Human Nature* which he had never been willing to make previously, recorded in the course of his obviously futile defense of himself against the critics of *Wise Saws* who had charged

[37] *Ibid.*, II, 227.

him with using Sam Slick as a medium for expressing ideas that were not only colonial and his own but wholly out of keeping with the Yankee's character. This impossible contradiction between Sam Slick as the typical New England democrat and at the same time the representative of steadfast conservatism, which had returned again and again to plague his creator, had finally compelled Haliburton to attempt the explanation that the credibility and effectiveness of the Clockmaker had long since demanded. Sam Slick was a conservative at home, so the questioners of his genuineness were assured, because while he respected a republic, he hated a democracy, and because every change in the well-balanced, skilfully checked constitution of the United States was a change for the worse. He was a conservative abroad because the English constitution was perfectly adapted to the needs of the English people, and because every change made in their form of government was also a change for the worse. "Conservatism," Sam Slick said — and this is the admission Haliburton would never make before, either in person or otherwise — "Conservatism, both in the States and in Great Britain, when rightly understood has a fixed principle of action, which is to conserve the constitution of the country, and not subvert it." [38] But in thus conceding to the once mistrusted Conservatives a respectable place in politics (alongside the Tories they had deserted, it seems), Haliburton gave up none of his previous antipathy to the Liberals, with whom he had hitherto always identified them. The surrender of one of his long-standing prejudices was the occasion, indeed, for his most bitterly conceived vindication of another. Less to distinguish between liberalism and conservatism than to excoriate those who professed the former as their political faith, Sam Slick is made to con-

[38] *Ibid.*, II, 399.

tinue the harangue in explication of his anomalous position as follows:

"Now, liberalism everywhere is distinguished by having no principle. In England it longs for office, and sacrifices everything to it. It does nothing but pander. It says religion is a matter of taste, leave it to itself and it will take care of itself — now that maxim was forced upon us by necessity. . . . But, in England it is an unconstitutional, irrational, and monstrous maxim. Still it suits the views of the Romanists (although they hold no such doctrine themselves), for it is likely to hand over the church revenues in Ireland to them. It also suits Dissenters, for it will relieve them of Church rates, and it meets the wishes of the republican party, because they know no church, and no bishop will soon lead to no monarch. Then again it advocates free-trade, for that weakens the landed interest, and knocks from under nobility one of its best pillars. . . . Then there is no truth in liberalism. When Irish emancipation was discussed, it was said, pass that and you will hear no more grievances, it will tend to consolidate the church and pacify the people. It was no sooner granted, than ten bishopricks were suppressed, and monster meetings paraded through and terrified the land. One cardinal came in place of ten Protestant prelates, and so on. So liberalism said pass the Reform Bill and all England will be satisfied, well, though it has not worked well for the kingdom, it has done wonders for the radical party, and now another and more extensive one is promised. The British Lion has been fed with living raw meat, and now roars for more victims. . . . Liberalism is playing the devil both with us and the British. Change is going on with railroad haste in America, but in England, though it travels not so fast, it never stops, and like a steam-packet that has no freight, it daily increases its rate of speed as it advances towards the end of the voyage." [39]

It was in the United States, however, as Sam Slick intimated, that liberalism had chiefly run riot of late, to such an extent in fact that Haliburton now felt compelled to withhold the warm admiration for the judicial institutions of that country which he had expressed but a short

[39] *Ibid.*, II, 399–404.

time before in *The English in America.*[40] With his trust in the honor and ability of the American judges destroyed, he lost also any faith he had ever had in the sanctity of law and order in the American Union. There he was certain, it was only a matter of a short time before the "rabble" would be in full control.

". . . liberalism," Sam Slick, resumed, "is the same thing in both countries, though its work and tactics may be different. It is destructive but not creative. It tampers with the checks and balances of our constitution. It flatters the people by removing the restraints they so wisely placed on themselves to curb their own impetuosity. It has shaken the stability of the judiciary by making the experiment of electing the judges. It has abolished equity in name, but infused it so strongly in the administration of the law, that the distinctive boundaries are destroyed, and the will of the court is now substituted for both. In proportion as the independence of these high officers is diminished, their integrity may be doubted. Elected, and subsequently sustained by a faction, they become its tools, and decide upon party and not legal grounds. In like manner, wherever the franchise was limited, the limit is attempted to be removed. We are, in fact, fast merging into a pure democracy, for the first blow on the point of the wedge that secures the franchise, weakens it so that it is sure to come out at last."[41]

Distrusting the effects of liberal sentiment in the United States as much as he did, it was only natural that Haliburton should question the methods of the American abolitionists. Slavery in the abstract he neither approved of nor attempted to justify. An undoubted evil, it had been entailed upon the Americans by their forefathers[42]

[40] See above, 519. Haliburton never wholly lost his admiration for the American Supreme Court, however, calling attention to what he considered its superior features in one of his very latest speeches in Parliament. See *Hansard,* CLXXIII, 3rd. ser., 823ff.

[41] *Nature and Human Nature,* II, 404–406.

[42] The British, he admitted elsewhere. See below, 630.

and remained a menacing problem, the difficulties of which the "unskillful and unjustifiable conduct"[43] of the abolitionists served only to multiply. Even more strenuously than in *The Attaché*,[44] however, he denied the stories circulated by misinformed or deliberately untruthful agitators and English travellers concerning the inhuman treatment of the slaves by their owners and overseers. So long as "ignorant zeal, blind bigotry, hypocrisy, and politics,"[45] continued to pervert the discussion of the slave question it would remain unsettled. The planters' rights as well as the claim of the slaves to freedom, had to be considered, and considered dispassionately, something the American public was fast becoming incapable of doing. Between the two, Haliburton himself passed no judgment. But plainly from his avowed conviction that the American negro was better off on the plantations then elsewhere,[46] he was skeptical of any reform that would permit him to desert the South; and from his insistence that the planters had shown only "meekness and forbearance" in opposition to the "violence and fury" of their adversaries it is manifest where his sympathies lay in the preliminaries to the momentous crisis which the United States was then approaching.[47]

The Oxford Movement, still the occasion of much passionate feeling in 1855, was another controversial topic of the times upon which Haliburton had some characteristic observations to offer in *Nature and Human Nature*. As to the merits of the views held or the conduct pursued by either of the extremist parties to the disputes which had

[43] *Nature and Human Nature*, II, 319.
[44] See above, 469.
[45] *Nature and Human Nature*, II, 320.
[46] *Ibid.*, II, 300ff.
[47] *Ibid.*, II, 321.

shaken the Church of England to its foundations his opinion was strictly in keeping with his devoted attachment to the establishment as it had always been. He would avoid the errors of both Newmanites and Evangelicals by steering the safe mid-course of orthodoxy:

"I think both parties are wrong," he wrote, "because both go to extremes, and therefore are to be equally avoided. . . . The Puritanical section, and the Newmanites (for Pusey, so far, is steadfast), are not, in fact, real churchmen, and ought to leave us. One are dissenters, and the other Romanists. The ground they severally stand on is slippery. A false step takes one to the conventicle, and the other to the chapel. . . . Of the two the extreme low-churchmen are the most dangerous, for they furnish the greatest number of recruits for schism, and, strange to say, for popery too. . . . One of them has yet to learn that pictures, vestments, music, processions, candlesticks, and confessionals are not religion, and the other that it does not consist in oratory, excitement, camp-meetings, rant, or novelties. . . . But alas! the Evangelical divine, instead of combating the devil, occupies himself in fighting his bishop, and the Newmanite, instead of striving to save sinners, prefers to 'curse and quit' his church. Don't ask me, therefore, which is *right;* I tell you, they are both wrong." [48]

The same spirit of settled melancholy which is noticeable in all of Haliburton's later works finds its most poignant and sincere expression, though not without some trace of pathetic posturing, in the last of his books to be written in his native province. Living almost alone in the house he had built as the pleasant retreat of his old age, his wife dead and his family scattered, cut off from most of his former friends by death or political differences, disliked, opposed, and openly reproached and scorned by many of his fellow colonials,[49] Haliburton must have spent the leisure of his final years at Clifton in anything but cheerful meditation. Life there had indeed grown dreary

[48] *Ibid.,* II, 412–414. [49] See below, 566, 567, 572.

and distasteful to him.[50] To the one who realizes these facts the significance of the following passage is clear. Written on the eve of his permanent removal from Nova Scotia, it constitutes Haliburton's valedictory to the well beloved home and the familiar surroundings in which he had hoped to spend the better portion of his life:

"Yes, home is a great word, but its full meaning ain't understood by everyone. . . . But I'll tell you who knows the meaning and feels it too; a fellow like me who had a cheerful home, a merry and a happy home, and who when he returns from foreign lands finds it deserted and still as the grave,[51] and all that he loved scattered and gone, some to the tomb and others to distant parts of the earth. The solitude chills him, the silence appals him. At night shadows follow him like ghosts of the departed, and the walls echo back the sound of his footsteps, as if demons were laughing him to scorn. The least noise is heard over the whole house. The clock ticks so loud he has to remove it, for it affects his nerves. The stealthy mouse tries to annoy him with his mimic personification of the burglar, and the wind moans among the trees as if it lamented the general desolation. If he strolls out in his grounds, the squirrel ascends the highest tree and chatters and scolds at the unusual intrusion, while the birds fly away screaming with affright, as if pursued by a vulture. They used to be tame once, when the family inhabited the house, and listen with wonder at notes sweeter and more musical than their own. They would even feed from the hand that protected them. His dog alone seeks his society, and strives to assure him by mute but expressive gestures that he at least will never desert him. As he paces his lonely quarter-deck (as he calls the gravel-walk in front of his house), the silver light of the moon gleaming here and there between the stems of the aged trees startles him with the delusion of unreal white robed forms, that flit about the shady groves as if enjoying or pitying his condition, or perhaps warning him that in a few short years he too must join this host of disembodied spirits. . . . Yes, yes, there are many folks in the world that talk of things they

[50] See R. G. Haliburton in *Haliburton; a Centenary Chaplet,* 24.

[51] A possible reference to Haliburton's return from England in 1855. See *Novascotian,* May 28, 1855.

don't understand, and there are precious few who appreciate the meaning of that endearing term 'home.' He only knows it as I have said who has lived in one, amid a large family, of which he is the solitary surviving member. The change is like going from the house to the sepulchre, with this difference only, one holds a living, the other a dead body. Yes, if you have had a home you know what it is, but if you have lost it, then and not till then do you feel its value." [52]

[52] *Nature and Human Nature,* I, 299, 300.

CHAPTER XXII

HOME TO ENGLAND

HALIBURTON'S retirement from the Nova Scotian Supreme Court was not accomplished without an outbreak of an even more disagreeable kind of newspaper publicity than had attended his appointment to that body, nor without its being followed by a most unpleasant and seemingly unnecessary amount of rather sordid litigation. It will be remembered that his receipt of Lord Falkland's offer to commission him a Supreme Court justice coincided with his becoming eligible to a life-term pension under the provisions of the Judiciary Act of 1841,[1] and that the acceptance of the former necessitated the relinquishment of the latter. On December 6, 1853, Haliburton addressed the following letter to the Honorable Joseph Howe, then the Provincial Secretary of Nova Scotia and the virtual, though not the nominal, leader of the provincial government:

"My Dear Sir—

Twelve or thirteen years ago, when the courts of common pleas were abolished, I was awarded by law a pension of three hundred pounds per annum, for past services as a judge. Immediately afterwards Lord Falkland tendered me a seat on the bench of the supreme court; at first I hesitated to accept it, as my time was of more value to me than the salary, but I felt that at the age I then was, I ought not to be a burden on the treasury of the province, even to that small amount, while I could work without personal inconvenience.

[1] See above, 415.

In accepting this seat my pension merged in my salary, so that I have affected a saving to the province of nearly four thousand pounds.

The time has now arrived when I think myself entitled to resume my pension and resign my office. I shall feel obliged therefore, if you will do me the favor to communicate my wishes on the subject to the lieutenant governor, and to state to him that so soon as that pension is again sanctioned by a permanent and unconditional act of the legislature, I shall be prepared to tender him my resignation; as I cannot afford to retire without my former pension, so of course the enactment will have to precede the resignation.

I am, my dear sir,
Yours, very truly,
T. C. Haliburton."[2]

This communication was laid before the House of Assembly on February 21, 1854.[3] Coming from one who for years had done his best to thwart Liberal policies, it was not exactly the sort of request likely to meet with a cordial response in a legislature controlled by a Liberal majority. No official action was taken upon it other than to move that it "do lie on the table." But *The Acadian Recorder,* which in spite of its prolonged defense of reform, had ever had as little use for Howe as for Haliburton, took advantage of this occasion to insinuate that the one having proved himself incompetent on the Bench, and the other having pressing need just then for a valuable bit of patronage at his disposal, the two had become partners in a mutually satisfactory political deal designed to relieve them both of embarassment.[4] If there was nothing more in either of these charges than was in another that accompanied them, to the effect that it was

[2] *Journals and Proceedings of the House of Assembly,* 1854, Appendix 24, 206.

[3] *Ibid.,* 445.

[4] *Acadian Recorder,* Feb. 25, 1854, and ff. nos.

Howe who had been chiefly responsible for Haliburton's presence on the Supreme Court Bench, then the persons against whom they were directed acted wisely in treating them, as they did, with disdainful silence. As the result of a general election held in 1855, though the Liberals were again returned to power, Joseph Howe himself suffered personal defeat, so that his official advocacy of Haliburton's wishes could no longer be counted on. Nothing more, consequently, was done in the matter of the desired pension until February, 1856, when a petition from Haliburton was presented to the provincial legislature praying that he "be permitted to retire from the bench upon the pension which he enjoyed as a retired judge of common pleas, prior to his appointment as a judge of the Supreme Court." [5] In the following month a bill was introduced into the Assembly providing for his retirement as requested.[6] It passed its first reading without reported challenge, and was ordered to be read a second time, but at that it was quietly dropped, the government evidently concluding that the measure was too unpopular to be forced through the House.[7] On this occasion *The Recorder,* while still repeating its insinuations as to Haliburton's incompetency, argued with damning sincerity that not only was his former pension justly due him, but that to pay it would actually be cheaper in the long run than to retain his services.[7] *The Novascotian,* unable, of course, to agree with its rival on anything, pointed out, with some degree of obtuseness, *The Recorder's* inconsistency in being "so anxious to serve" one it had formerly declared to be "a disgrace to the Bench — one who by his writings had so identified himself with one political party in this country

[5] N. S. Assembly *Journals,* Feb. 1856, 46.
[6] *Ibid.,* 113.
[7] *Acadian Recorder,* Mar. 15, 1856, and ff. nos.

as to destroy all confidence in his judicial decisions," but contrived to register its own special objections to Haliburton's claim for consideration by protesting that if it were founded on such reasons as "weight of years" and "declining health," as it was understood to be, it was to be resisted as not supported by fact, since the proposed beneficiary was "still a hale and hearty man and physically, at least, fully equal to the performance of his judicial functions."[8] Meanwhile Haliburton continued to defer his resignation. Among the leaders of the provincial government, though there appeared to be even after the failure of the bill to revive his pension a unanimous opinion that he ought to be relieved of his Supreme Court duties, there was said to be at the same time a hopeless disagreement as to who should succeed him.[9] Finally it was rumored that his patience having become exhausted, Haliburton had pitched "the idea of his retiring allowance to the dogs," and had offered to resign on condition that the Provincial Secretary, then the Honorable Lewis Wilkins, should be appointed his successor.[10] Events which were to follow promptly show that there were at least partially reasonable grounds for this supposition. Wilkins, who two years previously had replaced Joseph Howe in the provincial administration, on the latter's being appointed Chairman of the Nova Scotian Railway Board, had been, as we have seen, Haliburton's room-mate at King's and for many years his fellow townsman in Windsor.[11] A life-long Tory until 1854, he had then come out in support of the government's railway policy, public construction of the often agitated Halifax to Windsor line, and of others

[8] *Novascotian,* Mar. 24, 1856.
[9] *Acadian Recorder,* Mar. 29, 1856.
[10] *Ibid.,* Aug. 9 and 16, 1856.
[11] See above, 28.

equally as much needed, and had been almost immediately rewarded by a portfolio in the Liberal cabinet. Those who thought with *The Acadian Recorder,* however, never regarded him as anything but a Tory always, and their opposition to the suspected plan of elevating him to the Bench was most pronounced.[12] But whatever may have been the ultimate conditions, if any, insisted upon by Haliburton as preliminary to his retirement from judicial office, or the objections raised against Wilkins as his successor, Haliburton's resignation, based on his inability "to longer undergo the fatigues of a circuit," was at length tendered to the Lieutenant-Governor on August 11, 1856, and was accepted five days later,[13] Wilkins being at once named to fill the place thus left vacant.

These incidents marked merely the commencement of the regrettable proceedings connected with Haliburton's pension claim. The removal of Wilkins from the administration left his native county of Hants unrepresented in the Assembly, and Joseph Howe was promptly nominated to contest the constituency. Soon thereafter was beheld by the electors of Hants what was indeed a most incredible sight, the appearance of Haliburton upon the hustings in behalf of a Liberal candidate! The explanation of so inconceivable a happening, as given by *The Acadian Recorder,*[14] was simply that the Tory ex-judge and his one-time friend, "whose political doctrines and practices" it had been the former's aim "for nearly twenty years past to condemn and turn into ridicule as monstrosities of baseness and absurdity," had entered into a "claw me, claw thee" compact, according to which for Haliburton's electioneering eloquence Howe undertook to

[12] *Acadian Recorder,* Mar. 18, 1856, and ff. nos.
[13] N. S. Assembly *Journals,* 1863, Appendix 24, 9.
[14] Aug. 23, 1856.

procure from the legislature the persistently demanded pension. If such an understanding ever had any existence in fact, it was one which soon came to naught by reason of the Liberals' defeat in 1857, which effectually precluded all possibility of Howe's carrying out his part of the supposititious bargain. In evident abandonment of his hopes of securing any retiring annuity through legislative enactment, Haliburton in 1858, at that time having been two years resident in England, made application to the Nova Scotian Supreme Court for a writ of mandamus upon the Receiver General of the province commanding him to show cause why he should not pay to the complainant the latter's pension at the rate of £300 per annum, with arrears since his withdrawal from public service as judge. The application was argued before the provincial Chief Justice and three Associates, who at the request of the Attorney General for the province were to decide both as to whether the mandamus lay and as to whether the claim for the pension were valid. The decision was unanimous in denial of the writ, but the Chief Justice gave judgment upholding the validity of the claim. Two of his Associates concurred, the third declining to render an opinion.[15] Haliburton thereupon once more pressed his right to the pension. The government at first resisted, but afterwards arranged with Haliburton's solicitors that a special case should be made of the claim and formally argued in the Supreme Court. Before this case could be brought to a hearing, however, the Conservatives, under whose administrative leaders it had been agreed upon, were driven from office. Another delay resulted, but eventually the Liberals consented to carry out the arrangements of their predecessors. The argument took place in 1861, again before a

[15] N. S. Assembly *Journals*, 1862, Appendix 15, 2ff. *Novascotian*, April 20, 1863.

court consisting of four judges, all of whom, with the exception of the Chief Justice, were identical with those who had heard the application for the mandamus. Every one but the new Chief Justice found in favor of Haliburton. But for several months longer, while the government debated the advisability of an appeal to the Judicial Committee of the Privy Council, the pension went unpaid. Finally it was determined that the appeal should be prosecuted. As it happened, unfortunately, no precedent at that time existed for carrying a Nova Scotian case to the Privy Council that had not first been reviewed by the Governor in Council sitting as a colonial Court of Error. That such a body could not in justice review this case was obvious, since it would have to act as both judge and defendant. Nevertheless a petition to Her Majesty was necessary before the re-hearing sought could be obtained. This entailed still another delay, and it was not until late in 1862 that the petition, which rested on the objection that the decision of the provincial Supreme Court in the special argument of Haliburton's pension claim was "erroneous" and "bad in law,"[16] was at last filed and a date fixed for passing upon it. Just at this juncture, Haliburton made a most unfair, and, one would suppose, needless, attempt to influence the decision. On the day before that set for the hearing on the petition, his solicitors placed in the hands of those of the Nova Scotian government a copy of the affidavit which they announced was to be used in the argument of the morrow. Among other attestations in the course of this astounding document Haliburton affirmed that when he tendered the resignation of his seat on the Supreme Court Bench he expressly reserved to himself the right which he conceived he had to a pension; that the resignation "though clogged

[16] N. S. Assembly *Journals*, 1863, Appendix 24, 10.

with such a reservation . . . was unconditionally accepted;"[17] that though his claim had once been argued before the provincial Supreme Court and "unanimously" sustained, he had permitted it to be re-argued in the same court at the request of the Attorney General of the province on the definite understanding that if the decision were again given in his favor, the case would not be appealed and immediate payment of the pension would be directed; and that this agreement was repudiated by a succeeding Attorney General, who insisted on a clause in the rule for re-argument specifying the right of appeal. Upon all these points the affadavit was subsequently declared to be wholly and unqualifiedly false,[18] but there was, of course, no opportunity to prove it so with only an over-night's notice. The outcome of the hearing was a foregone conclusion. The petition was dismissed, costs were awarded to Haliburton, and the authorities in Nova Scotia ordered to govern themselves accordingly.[19] Naturally there was a good deal of resentment on the part of the provincial law officers. The Attorney General in his report on the affair protested that Haliburton was in honor bound to consent to a re-hearing of the question on its merits. An effort to get him to agree to another trial of the case appears to have been made, but, although the province is said to have pledged its good faith in this final endeavor to have the matter fairly settled, by offering to deposit a sum of money sufficient to cover the amount under controversy, subject to any decision the court of appeal might give, Haliburton was obdurate.[20] He had succeeded in getting the petition dismissed, and he claimed his pound of

[17] *Ibid.*, 7.
[18] *Ibid.*, 2, 3. *Novascotian,* April 20, 1863.
[19] *Ibid.*, 10, 11.
[20] *Novascotian,* April 20, 1863.

flesh. It was paid, but only at the cost of the last shred of good-will which the provincial people had retained for him.

Besides the vexations and anxieties connected with the preliminary stages of his pension dispute, Haliburton had worries of another sort during the last years of his residence in his home colony that must have tended to his leaving it with as much relief as regret. In 1853 the Bank of Nova Scotia entered action against him to recover certain sums of money loaned to his partner, one J. L. Songster, in the plaster business at Windsor,[21] for the payment of which it was held that Haliburton himself was personally liable.[22] From the evidence adduced at the trial it developed that while the money in question had been borrowed to finance the working of his quarries under an agreement with the agents of the bank[23] by which he became responsible for any advances made for such a purpose, no statement of the amounts involved had been rendered him either by his partner, who secured them, or by the firm acting for the bank in supplying them; that the last of the loans which he had authorized had been effected in 1845; and that the partnership with Songster had been terminated in 1847, apparently without his suspecting that debts of the nature alleged were outstanding against it. Since no demand had been made upon him by the bank's agents until 1852, seven years after the last advances to his partner, Haliburton contended that he was protected by the statute of limitations. In disproof of this contention, however, the bank was able to show that his partner had made repayments to its agents

[21] See above, 158.

[22] For this detail and those following see James, *Nova Scotia Law Reports,* 350ff.

[23] King & Fraser, of Windsor.

as late as 1850, and in that year also had made acknowledgment of the balance still due them. Verdict was returned against the defendant in the sum of £887, 10s., 3d. An application for a rule to have it set aside, made to the Supreme Court in 1854, failed of allowance, and Haliburton was compelled to assume an obligation which even the judges who decided against him admitted was the result of rascality and neglect on the part of others. It is probably the circumstances attendant upon this lawsuit that have given rise to the report, yet to be encountered, that Haliburton's removal from Nova Scotia to England was delayed by financial embarrassment.

However that may be, or whether his departure was at all delayed, on August 29, 1856, Haliburton left his native province to reside in the beloved motherland where his interests and patriotic affections had been gradually centering for years.[24] Twice afterwards he returned to Nova Scotia, once in 1860, when an interval of some weeks elapsed between his coming and going,[25] and again in 1861, when he landed at Halifax, for a few hours only, from the Boston-bound Cunarder.[26] On the latter of these two occasions he was, in all likelihood, *en route* for Upper Canada where he negotiated in the interests of the Canadian Land and Immigration Company the purchase of an extensive area of unoccupied country near Peterborough to be held for settlement and improvement. The county and town of Haliburton in Ontario still carry his name as a memorial of this visit and transaction.[27]

Haliburton's arrival in England in 1856 was followed very shortly by his second marriage.[28] Though this would

[24] Halifax *Morning Journal,* Sept. 5, 1856.
[25] *Novascotian,* Aug. 27, and Oct. 8, 1860.
[26] *Acadian Recorder,* Sept. 7, 1861.
[27] R. G. Haliburton in *Haliburton: a Centenary Chaplet,* 23.
[28] Reported in the Halifax *Morning Journal,* Oct. 27, 1856.

seem to have been entered into with all the romantic suddenness of his first matrimonial venture, probably the continued presence of the again successful suitor in the old country in 1853 and his perhaps not shorter sojourn there in 1855 [29] adequately explain away its appearance of undue precipitancy.[30] Haliburton's second wife was Sarah Harriet, widow of Edward H. Williams, Esquire, of Eaton Mascott, Shrewsbury. From all that can be learned of her she was a mature, possibly middle-aged, lady of most agreeable manners, intelligent, and well connected socially. One who personally recalls the reputation she enjoyed in society has written that her "trenchant and vivacious talk was . . . the delight of London drawing-rooms." [31] Obliged to sacrifice some portion of her means in order to remarry, she still remained in sufficiently comfortable circumstances to be able to lease so considerable a mansion as Gordon House, built by George I. for his mistress, the Duchess of Kendall, at Isleworth, near Richmond, on the Thames, and to maintain there for herself and Haliburton a home that must have exceedingly gratified the latter's love of luxurious and attractive surroundings, and have afforded him the pleasures of witty and well-informed company, of which he had always been fond. All in all, there were rather better reasons than were intended in the remark which this marriage inspired in one of the Nova Scotian papers,[32] to the effect that "the Clockmaker" had made another good bargain, for such it proved to be, R. G. Haliburton relating that the union

[29] See above, 551 and 563.

[30] And perhaps also accounts, in part, for his constant harping on matrimony in *Wise Saws* and *Nature and Human Nature*.

[31] J. B. Atlay, *Lord Haliburton; a Memoir*, 5. See also R. C. Archibald, *Carlyle's First Love*, 158.

[32] Halifax *Morning Journal*, Oct. 27, 1856.

was a mutually satisfactory one, and highly pleasing to the members of his father's family, most of whom were then also living in England.[33]

While the prospects of a comfortable retirement doubtless appealed as pleasantly alluring to Haliburton after more than a quarter of a century of driving over the infamous provincial roads of the Nova Scotian judges' circuit, he was still too intellectually alert and vigorous a man when he retired from the Bench to content himself with an existence of mere idleness. Moreover, he had been for too many years a public official and an author of prominence to be altogether satisfied with the status of a private citizen completely removed for active participation in the world of affairs. Fortunately for his contentment, if not for his reputation, his fame both as a humorist and as an authority on colonial matters kept him in fairly constant demand as a speaker, especially during his first years as a resident abroad, so that he was able to continue in public in both his favorite rôles, though obviously on the platform he preferred the second. Indeed he soon came to regard himself as the unofficial representative of the colonists in expounding their point of view to British audiences, and in that capacity was successful in disseminating among the British people generally a good deal of badly needed information concerning their colonial possessions. But upon the whole he probably deserves no more credit for his speech-making than his contemporaries were inclined to give him. His tendency to jest at the expense of the colonies made signs of approval for even his serious pleas in their behalf none too common among the colonials, and his disposition to threaten and reproach the government of those who heard him could hardly have created a wholly favorable impression upon

[33] In *Haliburton: a Centenary Chaplet*, 24.

the English.[34] In some sections of the English press, however, his remarks were seized upon as texts for long articles urging reform of the traditional British policy of indifference towards the colonies in accordance with his suggestions for greater Imperial unity, and an extended intra-Empire trade,[35] two topics upon which he concentrated in most of his public addresses, to the total exclusion of his long continued opposition to colonial responsibility. His first lecture appearance of any note in England was before the Manchester Athenaeum in January, 1857, when he spoke on the colonies in reference to their wealth-producing possibilities and their future political standing. Judging from the meagre newspaper reports of his statements on this occasion he had very little to say that was not already familiar to the readers of his books. He scolded as usual about Downing Street incapacity and official neglect of colonial interests, attacked Lord Palmerston, though for what reason is not recorded, urged the need of colonial representation in the British Parliament, contrasted "with a heavy sneer" the treatment of colonists at Court with that of "every petty German,"[36] and joked freely in his most facetious Sam Slick manner, and stirred up, besides much tumultuous cheering, some rather decided concern in the fate of his former countrymen and other colonials. Nevertheless he was unlucky enough in his utterances to call down upon them some exceedingly severe censure. The Nova Scotians resented his over-emphasis of their dependence upon Great Britain for every necessity of life,[34] his English critics

[34] Halifax *Morning Journal,* Jan. 12, 1857; *Novascotian,* Jan. 18, 1857.

[35] See *Acadian Recorder,* Jan. 24, 1857; *Blackwoods,* LXXXII, 110–128.

[36] *Acadian Recorder,* Jan. 24, 1857, quoting the Liverpool *Journal.*

were indignant and perturbed at the thought of colonials in Parliament,[36] and both found fault with his attempts to be humorous.[36] But apparently such captious comment as Haliburton's effort at Manchester provoked was not without its beneficial results, and in his next public consideration of the vexatious question uppermost in his mind, presented "by special request" at Glasgow two months later, he avoided to a great extent his blundering outspokenness and sarcastic exaggerations.

Happily what he had to offer for the enlightment of his Scottish auditors has been preserved to us in pamphlet form as *An Address on the Present Condition, Resources and Prospects of British North America,* so that we have the privilege of estimating directly its value, though not its effects, without recourse to newspaper summaries. Its purpose, as Haliburton expressed it, was truly one that was "loyal and patriotic." [37]

> "My object is," he said, "to draw together, in more intimate bonds of connexion, the two countries [England and the North American colonies], to remove distrust, to assimilate interests, to combine the raw material of the New, with the manufacturing skill of the Old World, to enlarge the boundaries, to widen the foundations, to strengthen the constitution, and to add to the grandeur of the Empire. My object is, to unite indissolubly the two portions of the Empire, so that there may be but one interest, one country, with one constitution, one parliament, one language, one literature, one and the same monarch, and one and the same great and glorious old flag, 'that for a thousand years has braved the battle and the breeze.'" [38]

To attain these ends he proposed, as he stated in a passage which betrays from whom Sam Slick inherited part at least of his boasting propensities, to explain

[37] Glasgow *Address,* 7.
[38] *Ibid.,* 8, 9.

". . . what constitutes British North America, and to pass in rapid and short review the several colonies, and their leading characteristics; to show you that it comprises the largest, the best, the most productive, prosperous, and valuable portion of the continent, that it possesses the best climate, the greatest resources, and the most hardy and intelligent population in America; and by a few incontrovertible statistical facts, to prove to you, how much in all these particulars it exceeds the United States. Finally, I propose to show you the shameful neglect it has endured, and still endures, the degrading political and commercial restrictions under which it labours, the imminent danger there is of losing these colonies; and then to suggest some remedies, while remedies can be applied." [39]

The lesson in commercial geography need not detain us except to note that it contains Haliburton's first recorded plea for an all-British transcontinental railway in America. The list of colonial disabilities and the preventives to which they pointed demand reviewing, however, since they exhibit in brief both the content and character of his previous contribution to the discussion of the Empire problem, and being based on events and conditions of almost modern bearing, come as nearly as anything which he wrote to having a present-day application.

His topographical and statistical demonstration of colonial extent and progress over, he continued with customary downrightness — and denial:

"Hitherto, I have gone with the current, I have now arrived at a point where the stream is against me — grant me the privilege of an advocate — allow me to speak out plainly and in plain English. I must say a few words on the Colonial policy of the empire — I shall not abuse your indulgence — I have not the impertinence to come here and talk politics. I have nothing to do with Conservatives, Whigs, Liberals, or Radicals; or with any of the great questions, that agitate the public mind just now.'

The retention or loss of your colonies is, in my opinion, of

[39] *Ibid.*, 9.

infinitely more importance, than all others put together. We have heard of justice to Ireland, till we have caught the Irish accent, and more recently, with more reason, of justice to Scotland; but if you think I am going to raise the cry of '*Justice to the Colonies,*' you are mistaken. We are able to do ourselves justice, and most assuredly will do so, when occasion requires. I come not here to threaten you, I know you too well for that, and I come not to supplicate you, for I am too much of a Scotchman, and too proud for that also. But I come to warn you, in sorrow, and not in anger; seriously, but amicably; that if there be not a change in the colonial policy of this Empire, the distant extremities will be inevitably fall off from the body-politic, from their own unwieldy bulk and ponderosity.

Previous to the American Revolution, Dr. Franklin visited this country, and warned the government, that unless its policy was more judicious and more conciliatory, it would lose the colonies. His advice was unheeded and his prophecy fulfilled. I do not pretend to compare myself with him; I have neither his talents nor his knowledge. But I know as much of the feeling of my countrymen as he did, and without any disparagement to him, I am infinitely more attached to this country than he ever was. For all my predilections are monarchical, and not republican. In like manner, I now warn you, that there are other subjects more important, than the bombardment of Canton, the fall of Herat, or the establishment of the Danubian boundary. And first and foremost among them, is the retention of British America. Don't mistake me, I am no agitator, I don't like agitation even for a good object. I am not a man with a hobby to ride on perpetually — for such a person is a great bore; nor a man with a grievance, a character that is very troublesome; but a loyal colonist, very fond of his own country, enthusiastically devoted to this, and an advocate for an intimate and indissoluble union of both." [40]

Though Haliburton reiterated that the colonists did not complain of their lot, he contrived by repeating what they "said" to make clear their grievances. It was of no use to tell them that they had responsible government and then leave them to work out their own salvation. Responsible government was not enough — "we manage our local

[40] *Ibid.*, 34, 35.

matters, and there our power ends." [41] What might satisfy them, certainly what Haliburton would offer them, is indicated plainly enough in what follows:

"We say, that our Eastern and Western provinces, together with our other foreign possessions, contain a population of one hundred millions of colonists, and that they are all unrepresented in Parliament; that they are all so distinct and disjointed, that England in her hour of need, as lately in the Crimea, could draw no assistance in men or money from them, though they were able and willing to have contributed both; and that where that is the case, there is something wrong in the organization of the empire. We say that, in North America, there are five colonies, *covering a space larger than all Europe,* unconnected among themselves, and unconnected with England: with five separate jurisdictions; five separate tariffs; five different currencies; and five different codes of law; with no common bond of union, and no common interest; with no power to prevent the aggression of strangers, or of one on the other; no voice in the regulation of their trade — their intercourse with each other, with foreign powers, or with England. That they are often involved in war without their consent, and that peace is concluded without their concurrence in the treaties; — in short that their very existence is ignored, or if they are named, it is only in the advertisements of Jews for old clothes for the provinces, or in the debates in parliament about converting them into cesspools for the reception of the pollution of the crime and villainy of the mother country. We say that we are consigned to the control of an office in Downing Street, in which there is scarcely a man who ever saw a Colony, and who has, however clever he may be, and however well disposed (and we make no personal remarks — they are all honourable men) yet who has no practical knowledge of us. We say that there is a striking proof of the little interest there is felt about us in the fact, that in none of the electioneering speeches of the candidates of all parties, at this very day, is there any mention of the Colonies." [42]

And there were still other disadvantages in being a colonial. Though certain to be treated cordially as a private visitor in the old country, as Haliburton could personally

[41] *Ibid.*, 36. [42] *Ibid.*, 36, 37.

testify, a colonist who endeavored to transact public business there was "utterly nowhere." While the colonies provided fields for the reward and promotion of outsiders, colonials themselves were practically excluded from Imperial employment and preferment. ". . . within a few years past," he charged, "a constant succession of governors have been sent out, with large salaries, and no earthly duty whatever to perform there — unlike American Governors, they have no veto, but merely act a part in a pageant — and yet, for that dumb-show, four of them have been rewarded with seats in the House of Lords, a fifth advanced in the peerage, and a sixth created a baronet, as a reward for the trying task of doing nothing, while not a single colonist has been thought worthy of being placed by their side — a paltry knighthood or two being deemed a sufficient condescension, and a just estimate, of the value of provincial talent."[43] Colonial ship-owners were compelled to pay a "grievous tax" in the form of fees to British consuls in the United States, but were, nevertheless, not eligible for consular appointments. Colonial privileges had been unwisely bartered away by the Elgin Reciprocity Treaty without the concurrence or knowledge of those most affected, and the one-sided negotiations conducted "in such haste, that the fishery limits were left unsettled, and greater confusion and trouble has ensued than previously existed."[44] The most valuable timber lands of New Brunswick had been needlessly conceded to the United States by Lord Ashburton,[44] without the people of that

[43] *Ibid.*, 38, 39.

[44] An opinion held persistently by colonials since Haliburton's day, but which recent research has shown not to be justified by the facts in the case. Lord Ashburton, it seems, drove a rather better bargain for the colonies than the evidence supporting their claims gave them any right to expect. See *Canada and its Provinces,* VIII, 826, 827.

colony having the right or power to call his Lordship to account in Parliament. And the Imperial authorities, after having promised the funds required to build a railroad from Halifax to Quebec, had suddenly withdrawn their guarantee, and had thus postponed for years the realization of Lord Durham's project for intercolonial communication. Of the effects of this still unsatisfactorily explained act what Haliburton had to say shows again how completely he had reversed his attitude towards the undertaking he had once so furiously denounced: [45] "... never did Imperial rule wound colonists so deeply, or so materially injure British North America, as on that occasion, and besides the positive loss, and bitter feeling caused by this unworthy treatment, who can tell, but those who have had to endure it, the extent of the humiliation they have suffered from the derision of their republican neighbours, who exultingly ask, if this is a specimen of the blessings of English connection?" [46] It was not this alone, however, but every other instance of British disregard of colonial interests, that the Americans had made use of as an opportunity for sowing seeds of disaffection among the colonies. And yet the colonists had remained loyal. "... an allegiance like ours," declared Haliburton, "that neither neglect nor indifference can extinguish, nor reward or ridicule seduce, would, in the estimation of any other Government under Heaven but that of England, be considered above all praise and beyond all price." [47] But in how little esteem it was actually held by the British government was shown in the fact that colonial feelings were even so wantonly disregarded that an offer from the colonies to raise, officer, and equip two regiments for serv-

[45] See above, 266.
[46] Glasgow *Address*, 17.
[47] *Ibid.*, 42.

ice in the Crimea had been returned from London unanswered merely because "*it had been addressed to the wrong office.*"[47] Obviously it was a situation that could not last. To do away with colonial degradation there were four possible remedies, among them colonial confederation for the first time put forward by Haliburton as something separate from, and not preparatory to, colonial independence:

> "1st. Annexation to the States. 2ndly. A Federal Union of the Colonies, a Colonial Board of Control, instead of the Downing Street Bureau, and what the Americans call Territorial Representation, that is Delegates in Parliament, to advocate colonial rights, and vote on them, *and them only*. 3rdly. Incorporation with Great Britain, and a fair share of full representation. 4thly. Independence."[47]

But beyond submitting his four remedies for "calm and deliberate consideration" Haliburton refused to go, bringing his address to a close without any discussion of their relative merits. He had already made it unmistakably certain, though, that if the prescription for the cure of colonial ills were left to him, his choice would fall upon either the second or the third.

Information as to most of Haliburton's other public appearances or activities of any kind after his removal to England is either completely lacking or too scanty to be of much service in determining their importance. Here and there in the newspapers or other records of the time, however, a brief mention occurs that reveals that for a number of years he kept up his endeavors to stimulate interest in colonial affairs, and in one way or another continued to attract considerable attention. Twice again in 1857 he delivered addresses, once "among other notabilities"[48] at the sixty-eighth anniversary dinner of the

[47] *Ibid.*, 42. [48] Halifax *Morning Journal*, June 19, 1857.

Royal Literary Fund, when he took for his subject, "Colonial Literature," something which he said had not as yet come into existence, a thesis that invited both defense and attack when news of it reached the other side of the water;[49] and again, at a meeting held to raise funds for the relief of suffering caused by the Indian Mutiny.[50] In 1858 he received the honorary degree of D.C.L. from Oxford,[51] an event concerning which details are disappointingly lacking; but so distinguished a recognition of his talents did not deter him at all from displaying them in humble company, for in the same year he is reported as having spoken before the boys of the Shoe Blacking Brigade of London at their annual treat.[52] In 1859, in company with a Mr. Lyndsay, "the great ship owner," and member of Parliament for Sunderland, he paid a speech-making visit to the former's constituents, and at Tynemouth addressed the workmen of the city in reference to the management of their Mechanics' Institute, urging them to devote it to thoroughly practical purposes rather than to give it up to theoretical lectures by even the "most profound men from King's College, London," and telling them that they should take its conduct entirely into their own hands without looking to "people of consequence" for assistance.[53] In the same year also he contributed an article to the *Scottish American Journal* on the defencelessness of the British North American colonies and the designs of the French military party upon them.[54] By 1862 his belief in the practical necessity of colonial confederation was so far confirmed that he allowed himself

[49] *Acadian Recorder,* June 20, 1857.
[50] Halifax *Morning Journal,* Sept. 21, 1857.
[51] F. B. Crofton in *Canada; an Encyclopedia,* V, 177.
[52] *Novascotian,* Sept. 20, 1858.
[53] *Ibid.,* Dec. 26, 1859.
[54] *Ibid.,* Sept. 26, 1859.

to be elected a member of the first council board of the recently constituted British North American Association of London, which had for its purpose the promotion of provincial union and the spread of information about the colonies. In accepting this office he did not desert his dream of Imperial Federation, however, for the greater union was also part of the programme of the new organization.[55] In 1863 also he delivered a lecture on the United States at the Public Reading Room in Isleworth, which betrays his changed opinion of the Americans, largely the result, of course, of Civil War happenings. Among other strange doctrines which he taught his neighbors at this time was that in America terror and espionage were supreme, that no man there dared publish anything displeasing to the mob, that no less than 150 English residents of that country had been got rid of by the "myrmidons of the military despots" who ruled it, and that the army of the Potomac was kept up "by an amount of jobbery unparalleled in the history of the world," and that "though the Trent affair had been settled without bloodshed, war between England and America was inevitable."[56] But by far the most conspicuous of his later attempts to instruct the British public was the anonymous series of articles which he contributed during 1859 and 1860 to the *Dublin University Magazine*, and published in the latter year in book form as *The Season Ticket*, the last of his numerous volumes.

The Season Ticket is what Haliburton called one of its chapters, a "Gallimaufry," something which he defined literally as "a stew of various kinds of edibles, fish, flesh, and vegetables,"[57] and figuratively, as applied to his "journal," as "a variety of topics and anecdotes, some

[55] *Acadian Recorder*, Mar. 22, 1862.
[56] *Ibid.*, Mar. 1, 1862.

substantial like solid meat, some savoury as spicy vegetable ingredients, and some fragments to swell the bulk, which though not valuable as materials, help to compound "[57] the whole. As Haliburton prepares it in *The Season Ticket* there is little about the mixture that is novel either in matter or manner, though its flavor is not by any means disagreeably familiar. Its constituents consist mostly of expansions and borrowings from the Glasgow *Address, Nature and Human Nature, The English in America, The Attaché,* and even from *The Clockmaker,* amply padded by generous borrowings from its author's abundant "tall tale" stories, all introduced by means of the usual group of comic or serious narrators, speaking partly in conventional English, partly in Yankee or other dialect. "Squire Shegog," who has acquired a cosmopolitan assortment of not altogether dependable "facts" from his world-wide travels, acts chiefly as interlocutor and recorder, deriving much of the opinion he passes on from his "old college friend Cary," but volunteering also a good deal that is entirely his own. "The Honorable Lyman Boodle, a senator from Michigan," and Mr. Ephraim Peabody," a fellow citizen of the Great Republic, but ostensibly from its northeastern corner, do duty for Mr. Hopewell and Sam Slick respectively, the former furnishing most of the necessary corroboration of the Squire's remarks, and the latter most of the exaggerated fun-making anecdotes. Other passengers on the London and Southampton express, upon which the Squire as the holder of the Season Ticket frequently rides, also contribute their share to the undertaking, which, as the Squire explains, is to note down whatever he sees and hears in pursuit of his favorite amusement, the study of "men and things." The tediousness

[57] *The Season Ticket,* 163. The references are to the Companion Library edition (Frederick Warne & Co.), n. d.

that characterizes all of Haliburton's later books is not absent from this, and increases as the volume approaches its close, but some of its purely gratuitous commentary, such as the praise bestowed on the management of the Peninsular and Oriental steamship lines, or the distinctions drawn between American and English tourists on the continent, or the criticism of the congested conditions prevailing at the Waterloo Station, London,[58] are written with a vigor and keenness which denote that Haliburton's change of environment had given him, temporarily at any rate, a new lease on his powers of effective expression. Occasional happy observations like, "... there is a freemasonry in smoking, not that it possesses secrets of a dangerous nature, but that it incites and promotes conversation. It is freemasonry without its exclusiveness. Its sign is the pipe or the cigar, its object good fellowship. Men sometimes quarrel over their cups, over their pipes, never,"[59] or, "... swearing ... is a great privilege, for it's like a spoonful of cold water thrown into a maple sugar kettle, it stops the bilin' over in a minute,"[60] still further relieve the upon the whole unsuccessfully avoided dullness of this work. What really gives *The Season Ticket* the quality of interest that it does have, however, is the importance of its major purpose. Haliburton ended his literary career as he began it, with a plea for rapid transit. What the first *Clockmaker* had been to the problem of transportation in Nova Scotia *The Season Ticket* was to the larger problem of the same kind for the whole Empire. The point of view in the latter volume was no longer that of a maritime province colonist, but that of a

[58] Which Haliburton explains in a foot-note were rectified as the result of his ridicule. *Season Ticket,* 172.

[59] *Season Ticket,* 5.

[60] *Ibid.,* 248.

thorough-going Imperialist. Never before did Haliburton see so clearly the possibilities for the expansion of the British nation, nor comprehend so fully the factors that would limit it or the dangers that might destroy it.

To insure its continuing and permanently increasing prosperity Haliburton proposed the immediate adoption of a three-fold policy for developing intercommunication between the motherland and the colonies, one which he was able to demonstrate, to his own satisfaction at least, would confer reciprocal benefits upon both. In his own words:

"1st. Transatlantic steamers, subsidized by Great Britain, should be in connexion with her own colonies, and especially Canada.

2ndly. The completion of the Quebec and Halifax line of railway is of vital importance, both in a defensive and commercial point of view; and any delay in finishing it may be productive of infinite mischief, if not of the loss of Canada.

3rdly. As soon as possible, after this railway is finished (which will complete the line from Halifax to Lake Superior), immediate steps should be taken to provide a safe, easy, and expeditious route to Frazer's River on the Pacific." [61]

The first of the undertakings here outlined was needed, so Haliburton argued, in order that the tide of British emigration might be deflected from the United States to the North American colonies. By means of a line of steamships direct to Quebec in summer and to Halifax in winter the surplus population of Great Britain would be drawn off to devote itself to the development of the British dominions instead of serving to augment the power of a rival nation. But with Nova Scotia cut off from Canada for the want of a connecting railway, there would be no advantage in such a transatlantic service throughout a

[61] *Ibid.*, 216. In making the third of these suggestions Haliburton was but following up that put forward in 1849 by his friend Major Robert Carmichael-Smith in the pamphlet referred to above, 218.

greater part of the year. The second step in this programme for improved transportation was therefore imperative. There were still other reasons why the railroad from Halifax to Quebec should be at once completed. Until it was in operation, the Canadians would have to remain dependent upon the good-will of the Americans for the carriage of their mails while the St. Lawrence was closed to navigation, and consequently would continue to be obliged to pay American taxes. At all seasons of the year they would resort to the American markets for the merchandise they consumed, and thus they would establish a trade relationship with the United States that might lead to a desire for a political union. As a military as well as a commercial necessity the intercolonial railway was urgent. With Canada inaccessible in winter, except through foreign territory, it was necessary to maintain there an armed force even in times of peace. Once the railroad were opened, this force could be withdrawn and the expense of its unprofitable employment saved, and yet the country would be less unprotected than formerly, since troops from Great Britain could be quickly thrown into its interior and distributed within easy reach of any point on the international boundary line. Moreover, the military supplies accumulated in Canada could then be utilized elsewhere if required, without the disastrous delays that had hindered their removal during the Crimean War. There was absolutely no excuse, in Haliburton's opinion, why the British government should hesitate to guarantee the funds needed to prosecute to a successful conclusion the building of the railway he suggested, already commenced by the provinces at their own expense. As he saw the request of the colonies for assistance in completing their transportation projects, both the duty and the interests of Imperial authorities demanded that it should be

met with a generous response. That such had not been the case he could attribute only to traditional Colonial Office perversity. "The truth is," he said impetuously when considering the matter, "the Colonial Office is a dead weight on the Empire. Instead of facilitating and aiding the progress and development of the colonies, it deadens the energies and obstructs the welfare of the people." [62]

The construction of a transcontinental railway in British America was an enterprise that involved Imperial even more than colonial welfare. Not only would it open up the North American colonial far west for settlement, and bring Sydney ten days nearer London, but it would also provide against another military danger, the reality of which had been but recently attested to by the American "invasion" of the San Juan Islands. Still further, and of most importance, it would place under the control of the British the shortest and, as Haliburton thought, only practicable highway of commerce to the Orient. "Whoever owns Vancouver Island," he said, "must command the trade of the Pacific and the East." [36] But the fact of the British being in possession would be turned to the greatest possible account only when the two "finest harbours in the world," the one at Esquimault and the other at Halifax, were connected by the "Great Inter-Oceanic Railway," traversing British soil the entire distance between them. The gold, the fertility, and the fisheries, that the British Columbia coast country boasted, would attract to it and support a large immigrant population, but its future would eventually depend not upon its natural resources but upon the unrivalled opportunities for the location there of an immense "commercial depot," which Haliburton wrongly foresaw as the twin city Esquimault-

[62] *Ibid.*, 213. [63] *Ibid.*, 12.

Victoria. "In a few years," he prophesied, "the whole face of the country will be changed, and communities and cities will start into existence as if by magic. The enterprise, science, and energy of the West, will require and command the labour of the East, and Vancouver [Island] will be the centre where the products of both hemispheres will be exchanged." [64]

If improved transportation was to do so much for the more distant parts of the Empire, it was certain to be no less beneficial nearer home. Indeed it had already proved its usefulness in the case of Ireland where steam, so Haliburton believed, promised to solve the long-standing problem of Irish backwardness. "Ireland has hitherto been out of the world, steam has now brought it within it, and it can't help feeling the influence of extended commerce and free intercourse with the people of other countries." [65] Steam had already provided the Irish with easy means of emigration, which in turn had relieved their country of its too abundant unemployed and improved the condition of those left behind. True, the Encumbered Estate Courts had had their effect in saving Ireland from absolute bankruptcy and starvation, by throwing open to the agricultural workers land formerly held uncultivated by absentee proprietors, and temperance, also, had worked wonders, but it was the railroads that had "afforded access to markets, furnished profitable fields for the investment of capital, and facilities for intercourse among the people, without which there can be no interchange of opinions and no enlargement of ideas." [66] In *The Season Ticket* Haliburton partly atones for his previous uncomplimentary references to the undesirability of the "low Irish" as immigrant settlers for America,[67] by stating that as laborers

[64] *Ibid.*, 22, 23.
[65] *Ibid.*, 39.
[66] *Ibid.*, 42.
[67] See above, 501.

in the United States they had been found "more persevering than the English, and more honest in their work than the Scotch"[68]; and his general summing up of the Irish situation seems to indicate that he had come to a fairly sympathetic insight into the Irish problem as a whole. Speaking as Mr. Peabody, he declares that if he had the history of the Irish since Cromwell's time to write he could do it "in three lines," and makes good his claim as follows:

"Their lords lived abroad and screwed their agents; the agents screwed the tenants; the tenants screwed the poor, and all combined to screw the Government. The gentry lived in houses they didn't repair, on farms they didn't cultivate, and estates they couldn't transfer. The trader didn't import, for he wasn't paid for what he sold. The labourer didn't work, for he didn't earn his grub at it. The lord blamed the disturbed state of the country for not living in it; the agent blamed him for absenteeism and high rents; the farmer blamed both for extortioners, and the peasantry cussed the whole biling of them; while lawyers, like flies, swarmed where there was corruption, and increased the taint they fed on."[69]

But Haliburton's ensuing advice to the Irish, practically identical as it is with what he had once given to the improvident Nova Scotians living in very similar circumstances, though induced by entirely different causes, of course, shows that he had advanced not at all in interpreting aright the signs of political unrest among a dependent people, nor weakened in the least in his belief that whatever is legal is right and anything else wrong:

"Pat, my boy, if anybody goes for to talk politics to you, up fist, and knock him down, and I'll absolve you on the principle of self-defence. Patriots, as they call themselves, are no friends of yours, or old Ireland either. They have honey on their lips, but pyson in their tongues. What is it to you whether Tory, or

[68] *Season Ticket*, 50. [69] *Ibid.*, 52.

Whig, or Radical is uppermost, any more than whether democrats or republicans are ins or outs in the States? The object of law is to protect life and property; and so long as it does that, and don't interfere with your liberty and religion, that's all the call you have to it. Mind your own business, and live in charity with your neighbours. Be sober, industrious, and peaceful. Respect yourselves, and others will respect you; *but eschew politics as you would the devil.* It is better to be a free agent than a tool at any time. Obey the law, but never look to government for patronage. They will feed you on promises till you are unfit for anything, and then give you something not worth having. They are like torpedoes, they paralyse everybody they touch. Avoid secret societies, work diligently, be honest and grateful to your employers, and God will prosper you in all your undertakings. But if you choose to serve the Devil do so; he is a good paymaster, and rewards his servants. *The wages of sin is death,* if you earn it, I hope you will get it."[70]

Efficacious as extended means of long-distance communication must prove in binding together the widely separated parts of the Empire, Haliburton recognized that there was a limitation to the process of cutting down the barriers of remoteness, and therefore a resultant limitation to the size of the colonial family. Australia and New Zealand, though brought by steam much nearer London than formerly, would nevertheless always be too far away from the mother country to be long connected with it politically. Emigrants to the colonies in the South Pacific had definitely to cut the ties that frequently drew those who went to other colonies back to the homeland. The necessity of adapting themselves to a different climate, different habits of life, different wants and employments, assisted to make the economic and social isolation of those who settled in the antipodes complete, helped to exclude thoughts of what they had once been accustomed to at home, and occupied them solely with the problems of their

[70] *Ibid.*, 53.

new existence. The excitements of pioneer conditions, and the promise they held of certain reward for industry and frugality, tended also to fix their attention wholly upon the land of their adoption. There was, besides, the hope of an early nationality and greatness for the Australians as a distant people. They were already self-supporting, and no longer absolutely dependent upon Great Britain for markets or manufactures. Their country had become "The England of the East." Finally there was the conviction growing among them that being too far removed from England to receive protection in time of war, they would be better off if freed from the danger of being involved in hostilities not of their own making. "Our independence," they reasoned, "can do England no harm, because in proportion to our means, we shall always be among her best customers, while it will save our shipping from seizure, our seaport towns from bombardment, and our colonial and foreign trade from annihilation."[71] India was another part of the Empire that Haliburton felt could not long be retained in subjection, though no national self-sufficiency there pointed to a separation, but the ability of the French and Russians to fan into flame the still smouldering embers of the Mutiny, and, presumably, the inadequacy of steam to bring it within the protection of the British navy.

In the case of the North American colonies the circumstances were entirely different from those of either India or Australasia. There the inhabitants were loyal and homogeneous. While they realized they might be attacked, they knew they could not be conquered. If England's navy were unable to defend them, the Americans would never permit their subjection by another European power. Unlike the Australasians they were natives, not immigrants;

[71] *Ibid.*, 276.

they had not been suddenly elevated into national wealth, political importance, and the exercise of self-government; and they were not impatient of control or interference, nor forced, by being remotely separated from England, to endure long delays in their official correspondence with the Imperial authorities. Steam had so bridged the Atlantic that their representatives continually passed and repassed between the colonies and the homeland, and felt themselves part of the English population. Five-day voyages to England were confidently predicted. Daily packets had facilitated transactions by mail, and the cable then being laid would bring both sides of the ocean within "speaking distance" of one another. "Distance, therefore, constitutes no obstacle to a continuance of the union, nor do the wishes or interests of the people tend to a severance," [72] and most decidedly not to annexation with the United States. That possibility Haliburton dismissed as in his Glasgow *Address* as undesirable to and undesired by either the colonists or the Americans. Through failure England had finally been taught the secret of governing her colonies to the satisfaction of the colonials:

> "She has at last learned that the true art of governing her distant possessions consists in imparting to the people that freedom which she herself enjoys, and in seeking remuneration for her outlay, not by monopolizing their commerce, but by enlarging it; not by compelling them to seek their supplies at her hands, but by aiding them to become opulent and profitable customers. She has discovered that affection and interest are stronger and more enduring ties, than those imposed by coercion; that there are in reality no conflicting interests between herself and her dependencies, and that the happiness and prosperity of both are best promoted and secured by as much mutual independence of action as is compatible with the undisputed and indispensable rights of each, and the due relation of one part of the empire to the other, and to the whole." [73]

[72] *Ibid.*, 278.

[73] *Ibid.*, 274.

If this discovery of how to satisfactorily control colonial affairs had actually been made by the English, however, one political party among them apparently regarded it (according to Haliburton, that is) as more theoretical than practical. In the colonial mismanagement of the Whigs, which he blamed for colonial evils from first to last, he saw a far more insidious threat to the continued harmonious relations between Great Britain and her colonies, to say nothing of their further federation, than in any danger of British North America's annexation to the United States. If the disruption of the Empire were impending, he knew upon whom to place the responsibility.

"It is a startling and extraordinary circumstance," he declared, "(but I am firmly convinced of the fact), that the colonists are more desirous than the Whig government, for a continuance of the union. It has been the practice of that party, for the last fifty years, to undervalue the importance of their colonies, to regard them as incumbrances, to predict their inevitable tendency to become independent, and to use them while the connection continues as a mere field for patronage for their dependants and supporters. Acting upon this conviction, they have been at no pains to conciliate the people, either by aiding them in their internal improvements, or admitting them to any share of the Imperial patronage, while they have carefully excluded them from any voice in that department which has the supervision of the vast colonial dependencies of the empire. This has been borne patiently with the hope that better counsels might ultimately prevail, but it will not be tolerated for ever. Political, like social alliances, can never be durable, when all the duties are on one side, and all the power and emoluments on the other." [74]

To do away with the dire possibilities with which Whig rule threatened the Empire, Haliburton proposed again the remedies he had so often advanced before, the substitution of a permanent Colonial Council Board for the Colonial Office, and colonial representatives in Parliament,

[74] *Ibid.*, 278, 279.

though the latter is a measure he scarcely more than hints at in *The Season Ticket*. There is, however, no dearth of critical attention upon Colonial Office abuses that argued for both innovations,[75] and Haliburton was as explicit as to what ought to replace the traditionally short-sighted policy of the Downing Street officials as he was positive that it was hopelessly out of date. "Assuredly," he said, "it ought to be the object of government to draw together in more intimate bonds of connexion the two countries [Great Britain and the North American colonies], to remove distrust, to assimilate interests, to combine the raw material of the new, with the manufacturing skill of the old world, to enlarge the boundaries, to widen the foundations, to strengthen the constitution, and to add to the grandeur of the empire." [76]

Besides the chances of national disaster afforded by Colonial Office blundering, Haliburton recognized the menace of another danger threatening altogether from without the Empire, and made possible by the very means to which he looked to link colonies and mother country indissolubly together. Unless the pacifist Palmerstonian government made counter preparations to prevent it, the warlike ambitions of Napoleon III would eventuate, and that speedily, in an armed invasion of England. "Steam has bridged the Channel," was Haliburton's warning of the threat from France, but steam might also erect the protecting wall of battleships needed to offset it, if only the Manchester politicians could be awakened into some concern for their country's safety. Of the prospect of that being done Haliburton expressed a good many alarmist doubts. But there was no question in his mind of what the French Emperor intended. He had already partly revenged his people for the occupation of their

[75] See *ibid.*, 203, 211, 213, 260, 288. [76] *Ibid.*, 289, 290.

capital after Waterloo by humbling Russia and Italy. The conquest of the Rhine provinces and the crippling of England's power on the sea was what he aimed at next. His military and naval preparations pointed plainly to the sudden descent upon the British both at home and in the colonies. He had connected Cherbourg with his entire Channel coast-line by telegraph so that no ship could leave England without its departure being reported at the headquarters of his fleet. He had recently augmented his navy to that extent that if united with Russia's it would be more than a match for Great Britain's. He had assembled more soldiers at Martinique and Guadaloupe than the British had in all their West India islands put together. He had fortified St. Pierre and Miquelon contrary to treaty agreement, converted them into a great naval stores depot and, using them as a base could, without serious interference, take possession of the Cape Breton coal fields, and thus imperil the forts and fleet at Halifax and render them practically useless.

"In these days of telegraphic communication," Haliburton concluded his cautioning against French duplicity, "when news of hostility can be transmitted with the rapidity of lightning, it is not too much to say, that the Emperor, by his foresight, judicious preparations, and well-concealed plans, could sweep the commerce of England from the seas in six weeks." [77] "The past and present neglect of our navy is, therefore, altogether inexcusable; we must maintain our maritime supremacy, whatever the cost may be; and if our fleets have command of the channel, we may safely intrust our defences to them, with a certain conviction that our native land will never be polluted by the presence, or ravaged by the hordes, of a foreign invader." [78]

The colonies he would have protected by the building of a navy large enough to permit of detachments being

[77] *Ibid.*, 191. [78] *Ibid.*, 192.

sent to the most distant colonial waters without crippling the effectiveness of that which he insisted was needed for Channel defence. In short, he was as thoroughly Imperialistic in his ideas of what constituted a suitable naval policy for Great Britain as in those he held regarding her requirements in mercantile transportation. What he urged was virtually the adoption of the now historic two-power standard. "Britannia rules the waves," he asserted in supporting his proposals with the argument which may also became historic: "When she ceases to rule them, she ceases to exist as a nation." [79]

The last chapter of *The Season Ticket* discloses Haliburton as much the professional judge in England, and as jealous of his class prestige, as when on the Bench in Nova Scotia. The disallowance by the Home Secretary of a sentence passed in an apparently famous criminal case of about the time the book was being written had raised the question of the right of that official to thus defeat the intention of the law. From Haliburton's opinion concerning this particular instance one may infer that his position in general was that decisions reached by judges in accordance with jury findings should be carried out as final, unless set aside by regular courtroom procedure. Even a reasonable doubt on the part of the Home Secretary as to the justice of a sentence did not appear to Haliburton as sufficient cause for administrative interference. Judges should be supreme, as in the United States, and not subject to Parliamentary overrulings. Indeed in his zeal for unhesitatingly carrying out the decrees of the courts Haliburton came dangerously near giving his approval to the methods of Judge Lynch.[80] In reference to another matter, then also being publicly discussed, while his legalistic prejudices were again plainly shown,

[79] *Ibid.*, 186. [80] *Ibid.*, 317.

he was in some respects as gratifyingly liberal as in others he was regrettably narrow-minded. Considering the objections commonly heard against the recently established Divorce Court, which took the jurisdiction in divorce trials out of the House of Lords, he held that the change was an advisable one, since it transferred the granting of marriage annulments from untrained adjudicators to properly qualified jurists. A rather better reason which he had for supporting the experiment, however, was that it gave equal opportunity to rich and poor alike, though he was far from favoring any such thing as easy divorce. To the feature of the new statute which permitted the remarriage of divorced parties he was, of course, uncompromisingly opposed, protesting that the eminent parliamentarians who argued for it had defied the sacred teachings of both Church and Scripture. But in a more generous reaction to another of its provisions he severely condemned the discrimination it drew between husband and wife, with injustice to the latter, in defining the grounds upon which lawful dissolution of marriage might be sought, declaring that it was unintelligible "how a Christian legislature . . . composed of a body of English gentlemen, of peers spiritual and temporal, and above all with a Queen constituting its first and highest branch, could thus degrade woman below the level she has held for centuries, in this and every other civilized country." [81] In all likelihood what prompted Haliburton to introduce these questions of scarcely more than technical legal interest into the sketch with which he closed *The Season Ticket* was the opportunity they gave him of throwing parliamentary authority into unfavorable contrast with judicial. Of the former his never too flattering impression had been finally confirmed as the result of his not very

[81] *Ibid.*, 330.

pleasant initial experiences in the House of Commons, which he had been induced to enter in 1859 as member for the unimportant borough of Launceston, Cornwall, at the suggestion of his friend the Duke of Northumberland.[82]

[82] R. G. Haliburton in *Haliburton: a Centenary Chaplet,* 33. The Duke of Northumberland had served as a military officer in Canada during the rebellions of 1837–38. Possibly his acquaintance with Haliburton dated from about that time.

CHAPTER XXIII

MEMBER OF PARLIAMENT

Judged by its effect on his contemporary fame Haliburton's consent to enter Parliament can be regarded only as an unfortunate mistake, as even those of his friends most interested in seeing Imperial honors secured by a colonial must sooner or later have come to recognize. Apparently he had been wise enough to refuse one offer of a parliamentary nomination, that for the county of Middlesex, made soon after his going to live in England,[1] but his discretion had afterwards deserted him. The House of Commons was, of course, no place for a person who at the time he took his seat there could publicly record the advice which Haliburton set down in *The Season Ticket:* "Never bother your head about elections; a vote is a curse to a man; it involves him in politics, excites him, raises a bushel of enemies, and not one friend for him;"[2] or such observations as, ". . . bankers, lawyers, and farmers grow rich; but the politicians are like carrion birds, croaking and hungry, and not over particular as

[1] Morgan, *Bibliotheca Canadensis,* 169. As early as the date of his Manchester address, however, the Liverpool *Journal* had accused Haliburton of aspiring to represent the "wooden nutmeg" (by which the *Journal,* misunderstanding its own joke, meant merely "colonial") interests in Parliament, and had prophesied accurately, but by pure chance, of course, that as a member of the House of Commons he would prove a "dead failure." Quoted *Acadian Recorder,* Jan. 24, 1857.

[2] *Season Ticket,* 267.

to the flavour of their food, or how they obtain it;" [2] and, ". . . the whole system of representative government is founded on a principle of mutual assurance. The elector bribes the candidate with a vote, and expects to be paid by the gift of some office; and the candidate bribes the government by his support, for an appointment or a title for himself." [3] Happily for Haliburton's consistency in accepting the nomination for Launceston, it was unnecessary for him to risk being classified with the detested "politicians" or being compelled to adopt their doubtful electioneering methods, for the influence of the Duke of Northumberland was supreme in the borough, and the return by acclamation of any candidate of his choosing was assured. But in spite of the ease with which he obtained his seat in the legislature of the home-land, Haliburton's parliamentary career was bound to prove a disappointment. His political convictions must have prevented his feeling anything but ill at ease in an assembly made up of representatives chosen by popular suffrage, and would alone have made his success impossible in a House dominated by the Little Englander majority which Palmerston and Gladstone led into power in the British elections of 1859. He found himself not only among the opposition but among the most useless division of an opposition, that which only opposes. And even there he stood in singularly ineffective isolation, taking little or no pride in the Conservative company he was forced to keep, but glorying rather in his unique devotion to Toryism of the oldest school. Indeed his position in Parliament amply bore out Professor Felton's unsparing comment called forth by *The Attaché* fifteen years before:

"The provincial Tory, who visits the mother country, is like a Tory of three hundred years ago returned to life. He finds

[2] *Season Ticket*, 267. [3] *Ibid.*, 142.

that his prejudices and predilections have no counterpart in the actual state of affairs. His views are shockingly antiquated. A pernicious liberalism has insinuated itself into the principles even of the Tory leaders, whom he had looked up to in distant reverence from his remote provincial home. In short, whatever be his affinities or biases, he finds his guides widely different from what he had fondly dreamed." [4]

The very quality to which Haliburton owed whatever public distinction he had won also contributed to his failure in the House of Commons. When his election to Parliament was announced it was hoped that a great gain to the wit and brilliancy of the House would result.[5] But his first parliamentary speech so completely demonstrated his inability to measure up to this expectation that his hearers promptly decided that his gifts as an entertaining and skilled reparteeist had been over-rated, as they had been, and thereafter his presence on the floor of the Commons was more generally ignored than noticed. It is not quite true, however, that, as has been stated by one who heard him speak in Parliament, he always addressed himself to the arguments under discussion there with "unmitigated gravity," [6] though it is certain that he never attempted a jest in the House that was worthy of his reputation as "the greatest of living humourists." [7] Haliburton's decreasing physical powers con-

[4] *N. A. Review,* LXVIII, 213.

[5] *Illustrated Times,* London, Sept. 9, 1865.

[6] J. H. McCarthy, *Portraits of the Sixties,* 117ff.

[7] Plymouth *Mail,* quoted *Acadian Recorder,* June 8, 1861. Several examples of the sort of wit to which Haliburton treated his parliamentary colleagues are recorded in *Hansard.* During the discussion of a food adulterations bill, when it had been asserted that but little dishonesty, of the kind it was hoped would be done away with by the measure, was known in America, he asked if there was no one present who had heard of wooden nutmegs; and in the same debate, referring to the expressed uncertainty as to

stituted another most serious handicap to his making a satisfactory record as a legislator in England. While by no means what might be called well advanced in years when elected to the House of Commons, a lifetime of self-indulgence and convivial dissipation had begun to tell heavily upon him,[8] and during his term in Parliament he aged rapidly and prematurely. He became badly crippled with gout, heavy to an awkward degree, and feeble and ungainly in his movements. His voice, affected by a throat complaint that seems to have been chronic, was at times so weak as to be inaudible beyond the remove of a few benches from where he spoke. Finally, a sort of temperamental self-consciousness, such perhaps as once caused him to make so unfavorable a showing as the guest of William Chambers of Edinburgh,[9] is said to have as a rule prevented his taking part in debates even when he was physically able to do so, or fulfilling the expectations formed of his qualifications as a witty speaker.[10] What was still more to be regretted was that on the infrequent occasions when he succeeded in overcoming this shyness, its absence acted like the removal of a much-

---

the nature of a "mixture," he remarked that, "he would only point to the Government of which he [the preceding speaker, the Secretary of State,] was a member, and say — *si signum quaeris circumspice.*" (*Hansard,* CLVII, 3rd. ser., 546.) At another time when a bill to exempt from ecclesiastical penalties persons in holy orders who had become dissenters was under discussion, he remarked that Judas had departed from the Church and that the bill merely gave the clergy the same privilege which Judas exercised, and added, "Nobody would object to that if the right hon. gentleman [who had preceded him] would also extend another privilege exercised by Judas, that they should all go and hang themselves." (*Hansard,* CLXVI, 3rd. ser., 709.)

[8] F. B. Crofton in *Canada: an Encyclopedia,* V, 177, 178.

[9] See above, 223.

[10] J. H. McCarthy, *Portraits of the Sixties,* 117ff.

needed brake on his impetuosity, and he talked in the manner of his later books, discursively, at wearisome length, without point, and often with reckless disregard of the personal feelings or responses of those who heard him, and of consequences altogether likely to defeat the purpose for which he labored. How little recognition of any desirable kind he acquired as the outcome of his ill-advised undertaking of parliamentary duties may be best judged from the following comment which appeared as part of an anything but unfriendly biographical notice published in 1865 immediately after the news of his death had been reported:

"We need hardly say . . . that Mr. Haliburton was a failure in the House of Commons. Not one man in ten thousand entering it at his time of life, and with his reputation, could have proved anything but a failure and a disappointment. He had no voice; he had no manner; he displayed as a parliamentary speaker none even of that pungency and vigour of expression which some years before had often amused English public dinners. When he did speak (on some question of colonial grievance) he was a dull, maundering, prosy talker. He would have been voted a bore but that he rarely troubled the House, and that the House, moreover, seldom sees a bore in a man of any sort of true native intellect and any fairly earned reputation. Mr. Haliburton was of the most antiquated and obsolete school of politics. He was a Tory, with whom political belief was as a fixed religious faith. In politics he saw literally no salvation outside the pale of toryism. We are not quite certain that he did not in his heart go in for the doctrine of Divine Right. Even the country Conservatives of the House looked with a sort of wonder on this faithful old Tory, for whom every dim ghost of a departed tradition had all the reality of a living and active presence."[11]

That Haliburton intended from the beginning to take the same position in the House of Commons that he had assumed outside as the unofficial representative of his

[11] *The Morning Star,* quoted in *The Law Times,* Sept. 9, 1865.

former countrymen was plainly intimated in his speech of acceptance to the electors of Launceston, when, referring to the honor they had done him in returning him unopposed to Parliament, he thanked them " in behalf of four million British subjects on the other side of the water, who up to the present time had not one individual in the House of Commons through whom they might be heard."[12] As to how he filled the self-assigned post of colonial advocate at Westminster, a good deal of misconception appears to exist, though it is by no means general. The mistaken notion concerning this matter most commonly to be encountered is that single-handed Haliburton heroically withstood the almost unanimous sentiment of the British statesmen in favor of cutting loose from the encumbrance of the colonies, and that repeatedly and eloquently, in the face of careless unconcern and even of open hostility, he pled the cause of a grander Empire.[13] In scarcely any respect does this idea of Haliburton in Parliament accord with the facts. He was, it is true, the sole colonial member in the midst of majorities of all parties, which were practically agreed on a policy of indifference toward the colonies, and which were often uninformed as to the truth about colonial conditions; but the figure he cut among them in now and then offering advice to the House at large or in defying someone opposed to his views, was decidedly more pathetic than heroic, unless to be persistent in giving offense be the sign of courage. He spoke, as we know, but seldom, and never with eloquence. And, as we shall learn presently, the little he had to say frequently failed of approval by those for whom it was said, nor was it always in line with

[12] Morgan, *Bibliotheca Canadensis,* 169.

[13] See L. J. Burpee, *Fragments of Sam Slick,* Introduction, for instance.

their best interests, though doubtless always intended to be. His parliamentary speech-making, in short, was most perfunctory and futile, and lacked utterly the inspiration and vision that characterized portions of his books dealing with the colonial question. In so far as it affected the prospects of Imperial Federation at all, it must have affected them adversely. The glorious possibilities of an Empire, thoroughly united on a basis of equal co-partnership, the proper principles of colonial control or of colonial representation in the British Parliament, the advantages of extended transoceanic or transcontinental highways for British commerce, — none of these were subjects that Haliburton ever discussed in the House of Commons with more than the merest show of patriotic zeal or fervor. All that he was interested in doing there, as indicated by his speeches, was to resist what he thought were encroachments on colonial rights and the reduction of appropriations for colonial defense, an important service, to be sure, but as he performed it, provocative only of ill-will. He was panic-stricken over colonial unpreparedness for the war with France that he believed was impending or for the invasion from the United States that might become a reality, and he was in evident despair that British free-trade would spell the ruin of whatever colonial industry found an outlet for its products in British markets, but the means he took to communicate his fears and dismay were such that he managed to create only the false impression that the colonies were over-willing dependents upon Great Britain's charity and protection, though ever ready with the absurd threat of independence if the assistance they expected were not immediately forthcoming. It was a deplorable result, of course, and without question altogether different from what he honestly desired. But with a life-long habit of embittered fault-

finding on the losing side, degenerated by the time he entered the House of Commons into a permanent state of querulousness and suspicion, it could hardly have been otherwise. Even the colorless reports of Hansard's *Parliamentary Debates* show how unpleasantly this besetting mood affected the expression of his opinion in Parliament.

Haliburton's maiden speech in the British Commons was delivered on July 25, 1859. Although it proved disappointingly dull to those of his auditors who were expectant of something humorous, and is credited with marking him definitely as a parliamentary failure, it is of equal importance with most of his earnest endeavors to address the House. The debate was on the subject of colonial defense. The Honorable C. B. Adderley, member for Staffordshire, had pointed out that the colonies were not paying more than one-tenth the cost of the protection England was attempting to give them, that, though expensive, the protection thus unfairly provided did not protect, and that it encouraged the colonies to remain dependent upon the mother country for defense when in reality they were able to defend themselves. He had been followed by the Honorable Sidney Herbert, Secretary of State for War, who had assured him that a committee was at work to determine the relative expenses that should equitably be borne by Great Britain and the colonies for the defense of the latter. With two others Haliburton had then risen to continue the discussion. For a moment it seemed as if he would be unable to obtain the Speaker's recognition, when cries of "New member," induced his rivals for the floor to give him precedence. He began his speech by saying that he was pleased with the way the Secretary of War had replied to Mr. Adderley's comments. What the latter had said he feared might be misunderstood in the colonies.

"The honorable gentleman [Mr. Adderley], as far as he could gather from his observations, appeared to question the expediency of having troops in British North America. He hoped he might be permitted to make a few remarks on that subject, because the whole of his life had been spent there. It was said that the colonies ought to defend themselves. Be it so. It was not the first time that they had done it, and they were able to do it again. But at the same time there was a reciprocal duty as well as a mutual interest — on the one part loyal and obedient attachment to this country, and on the other protection. It was said that the militia ought to be organized. He was proud to say that it had been organized, and in the war of 1812 with the United States, with very trifling assistance from this country, for her troops were wanted elsewhere, the militia of Canada turned out, and the whole force of the United States was not sufficient to make any impression on them. Again when Lord Seaton [Sir John Colborne [14]] by that very extraordinary manner in which he governed Canada had produced rebellion . . . it was the native troops . . . who drove out the Yankee sympathisers, and the French rebels."

The same thing could be done again, but the very knowledge that England was willing to protect Canada was in itself a protection against the most powerful neighbors they had to fear, if fear were not a word inapplicable to the case, while if the colonies were left to protect themselves, it might lead to further trouble with their neighbors.

"If the troops were withdrawn what did they [the English] want with the colonies? Let them give the colonies under those circumstances their independence. They did not ask it or want it, and would receive it with regret, but the colonists were men of English extraction, and would say, 'If you come to the condition of Rome, and you must gather your legions from the extremities of your empire, give us our independence and leave us, and we will say, God speed and protect you as in the olden times.' But when the honorable members talked of the militia and governing the colonies, England did not govern them, but misgoverned them."

[14] Governor-General of Canada and Commander-in-Chief of the British forces there during the rebellion of 1837–38.

What had occurred with regard to the colonial militia within the last three or four years? Why, an Eton or some other school boy, 15 or 16 years of age, had been made colonel of the militia of Nova Scotia.

"Was the appointment of a boy, who was learning his Latin and Greek grammar in this country, over the heads of old men in the colony, because it would give the boy rank hereafter, likely to encourage the militia to turn out? In his opinion it was turning the whole thing into ridicule. These were the blessings they enjoyed and the encouragement they received. What had the colonies to do with an European war? Their ships were plundered on the high seas, their sailors were impressed in their towns, and the enemies' ships were in all their coves and creeks, watching for their homebound ships. The quarrel was not one of theirs. When this country undertook to govern the colonies, and when it made laws suitable for itself well and good, but the Parliament ought at least to ask the colonies whether the same laws were suited to their condition. When they gave to America the coasting trade of this country, what right had they to include in their gift the coasting trade of any of the colonies — what right had they to permit the Americans to extend the term 'coasting trade,' the trade from Boston, round South America, to California?[15] Yet that was one of their acts, and it was one that had almost ruined the shipping of the North American Colonies. Look at the extent and feeling of those colonies. They contained 4,000,000 intelligent, loyal and patriotic men." They had offered two regiments for service in the Crimea,[16] and had contributed by means of legislative grants and private subscriptions to the Patriotic and India mutiny funds. "These were circumstances on which to found the consideration that if Great Britain were to withdraw her legions the colonies ought to have fair notice. . . . If this country were to withdraw her troops, let there be an understanding how and when they were to be withdrawn. He had had the satisfaction of bringing before the late Secretary of the Colonies [Lord Stanley] a plan by which it would not be necessary to keep a single soldier in Canada. If that chain of

[15] An allusion to a colonial grievance, not righted, as the colonials thought it ought to have been, by the Reciprocity Treaty of 1854. See above, 554.

[16] See above, 583, 584.

railways which ran from Halifax to New Brunswick were completed by the construction of a small portion to Quebec, in twelve days, and at any season of the year, the government of this country could send as many troops as they liked to Canada and need not keep a single soldier in that country."[17]

He concluded with a reference to the conciliatory and statesmanlike manner in which the Secretary of War had answered his questioners during the debate.

Trifling and disconnected as these remarks are, they were warmly applauded as the first effort of a new member from both the government and the opposition benches, and were kindly complimented by a following speaker as a "candid and temperate" statement of the colonial side of the question. Outside of the House, however, they called forth some rather adverse criticism. In England, indeed, they caused a mild amount of excitement, largely through the circulation in the press of a summary report in which Haliburton was misquoted as saying that, "if England withdrew her fleets, he demanded in behalf of the colonies that they should receive their independence." But even in the colonies, where the speech was correctly reported, while there was gratification that a colonist born and bred should have taken it upon himself to act as interpreter of colonial opinion in the British Parliament, there was also regret that his initial attempt in that capacity should have been expressive of sentiments contrary to the general feeling in British North America, where the withdrawal of the Imperial forces was regarded as an economy on the part of Great Britain not at all inadvisable.[18]

The actual amount of public attention occasioned by Haliburton's first address in Parliament was, of course, but slight either in England or the colonies, and was

[17] Condensed from *Hansard,* CLV, 3rd. ser., 406 ff.

[18] *Acadian Recorder,* Aug. 13, 1859; N. Y. *Albion,* Aug. 13, 1859.

quickly forgotten, though nothing else he said in the House of Commons attracted more except his prolonged expressions of insolence toward the Honorable W. E. Gladstone and his grumbling criticism of the Chancellor of the Exchequer's policies. Gladstone's desertion of the Conservative ranks for the Liberals merely of itself would have been sufficient to earn for him the lasting contempt of a Tory like Haliburton,[19] and his free-trade principles and anti-colonial doctrines made a clash between the two inevitable. The active beginning of their parliamentary differences was provoked during the session of 1860 by the introduction of Gladstone's bill to reduce the duties on timber and wood imported into the United Kingdom. According to the belief of the New Brunswick lumber producers, with whom Haliburton was in agreement, the passage of this measure meant the cessation of their trade with the mother country, a trade which had thriven previously owing to the protection it enjoyed under the differential duties that excluded Baltic timber from the English markets. In the hopes of defeating the intentions of this bill a committee of New Brunswickers, headed by a Mr. McAvity, the mayor of St. John, had visited England and through Haliburton had sought to present a petition to Parliament praying for immunity from the effects of the proposed reductions. The petition had been denied the right of presentation as coming from colonials, and so falling under the unsanctioned category of "irregular." Almost immediately following the official notification to the House of the contents of this document, and

[19] See *The Season Ticket,* 318: "So Gladstone has put off his budget until Friday. What's the matter with his throat — is it influenza?" "No. . . . He has had to eat so many of his own words in leaving Derby to join Palmerston, that his swallow was affected, and sore throat supervened."

presumably in expectation of some such constitutional difficulty as it afterwards encountered, Haliburton, who evidently considered the desires of the visiting lumbermen as identical with those of all the rest of the North American colonists, had ventured to suggest to the parliamentary leaders that they should allow a representative of the petitioners the privilege of being heard at the bar of the House. This decidedly unusual suggestion had also been rejected, much to Haliburton's resentment. Meantime he had felt, though mildly, the sting of Gladstone's too ready reply in debate. During the discussion of a treaty providing for the reduction of duties on certain articles from France and Algiers in exchange for reciprocal concessions to England, he had asked if any of the advantages which Algiers was to derive from the pending arrangements were to be extended to the British colonies. Gladstone had informed him that England could not deal for the colonies in arriving at the international understanding in question, but that their exclusion from the treaty was a practical testimony to the liberty they enjoyed. At the time Haliburton contented himself with no further comment than the somewhat testy retort that, "he understood, then, that England had no power to grant privileges to her own colonies," [20] but he nursed his wrath in silence. A few evenings later, however, when Gladstone's bill for the reduction of timber duties was under discussion, he gave vent to his feelings. Rising to ask if an opportunity to discuss the clause affecting the colonial timber merchants were to be given, he took advantage of his being in possession of the floor to refer to Gladstone's reply to his question on the French-Algerian treaty, and to mention the refusal of Parliament to receive the petition he had brought in from Mr. McAvity's com-

[20] *Hansard*, CLVI, 3rd. ser., 1983.

mittee, or to hear one of them at the bar of the House, and made some further remarks on the disastrous effects of the bill which the colonists were only seeking to avoid. Speaking of the "contemptuous nature" of the explanation Gladstone had vouchsafed him "the other evening," he said: "The sneer . . .with which that answer had been given had sunk deeply into the minds of those gentlemen [McAvity and his associates] now temporarily domiciled at Liverpool; and he should be ashamed of them, and ashamed to acknowledge himself a colonist, if they would put up with the superciliousness of the Chancellor of the Exchequer, with the neglect of Parliament, or with injustice from any power on the face of the earth. It was at least to be expected that when men put a civil question, that that question should be civilly answered."[21] Gladstone's rejoinder was decidedly sharp. He questioned, rather aptly, what might be the manner of his reply if Haliburton's rule of civil questions and answers were to be put at once into practice, and charged Haliburton with making a "gross caricature" of his attempt to explain the position of the colonies in respect to England's trade treaties. He proceeded also to reprimand Haliburton severely for not calling attention to his alleged fault at the time it was committed, rather than using the pretext of asking a question to obtain the floor in order to do it later, and added the information that the opportunity of discussing the Timber Duties bill Haliburton had professed to desire had already been given but that Haliburton had not been on hand to take advantage of it — "and that is the report which the hon. Gentleman will have to make to the British colonists of the vigilance with which he has attended to their interests."[22] Another opportunity, how-

[21] *Ibid.*, CLVII, 3rd. ser., 237 ff.
[22] *Ibid.*, CLVII, 3rd. ser., 240.

ever, would be given. Regarding Haliburton's proposal to have colonists appear at the bar of the House, Gladstone explained that it was rejected as an attempt to revive a custom long out of date and one productive of great delay and confusion. Finally, he concluded his defense of the government, he was inclined to discount Haliburton's report of ruinous consequences attendant on the removal of the timber duties; he had heard such prophecies since 1842 onwards, and now the colonies in British North America were more flourishing than ever.

But Haliburton was far from being squelched. In a little over a month the opportunity which Gladstone had promised him for discussing the Timber Duties bill occurred, and Haliburton made use of it with a literal vengeance. His address on this occasion came as near as anything he ever said in the House to being carefully prepared, and was considered of sufficient importance to warrant its distribution in pamphlet form.[23] Gladstone's measure for the abolition of the tariff against Baltic timber was before the committee of the House as a whole for final consideration, when Haliburton rose to say that he had a matter of grave concern to bring to their attention, but that the late hour [11:35 P.M.] made him think it inadvisable to begin the long statement he would be obliged to offer in presenting it. In order to defer his speech to a more suitable time he would therefore move that the committee report progress and postpone its deliberations. Gladstone, who seemed unnecessarily desirous of having his fun at colonial expense, assured him that, ". . . though the hour might be considered late in some countries, it was according to the

[23] *Speech of the Hon. Mr. Justice Haliburton, M. P., . . . on the Repeal of the differential duties on Foreign and Colonial Wood.* See Bibliography, 665.

usages of that House an early hour. At present there was a most satisfactory state of things for the discussion of the question, the House being in a calm and temperate mood, and having nothing to sway its judgment, and if the hon. Gentleman would proceed with the statement he had to make on the present occasion he would find it so agreeable a duty that the House would doubtless frequently in the future have the pleasure of listening to him at a similar hour in the evening." [24] Haliburton, accepting the Chancellor of the Exchequer's barely hidden challenge, protested that he never spoke under circumstances of such embarrassment. He proposed, however, to move an amendment to the bill before the committee to the effect that the long standing differential duties in favor of certain colonial timber products be retained. Having read the required rewording of the clause in the bill affected by the change he wished to urge, he continued:

"No person reading that short line . . . to which his amendment would apply could suppose that underneath those ordinary words lay a measure of as great importance as was ever brought before the House. When he considered that the persons he represented belonged to a colony unrepresented in that House, and without any official organ in this country to make their wants known to the Government, and that he, who now rose to advocate their interests, was a stranger in this country, without any sort of interest beyond that which consisted in the feeling of all Englishmen to do right, he felt such discouragement come over him as he believed no other man had ever felt before." British North America was a forest country and the whole people there were interested in the lumber trade. Other interests were ably represented in that House by men who were free-traders for the rest of the world, but protectionists for themselves! Other interests could draw support of some of the oldest advocates of the free-trade doctrine — except where their own constituencies were concerned! He could derive little consolation from the knowledge "that the

[24] *Hansard,* CLVII, 3rd. ser., 2097.

present was the measure of the Chancellor of the Exchequer, one of the most able, eloquent, and ingenious, and persuasive of men, but who according to his own expression the other night was impervious to any argument. When he saw the majority on the opposite benches in favour of free trade and the abolition of all duties, he felt that the tide was running against him, and that it was hopeless for him to make an application to that House for assistance. Still, he would appeal from the right hon. Gentleman the Chancellor of the Exchequer to the good honest feeling of Englishmen, who proverbially at least sympathised with the weaker party. In former days it was the policy of this country to nurture its colonies. That was the period when the Gentlemen on his side of the House were known by the well-defined and time-honored name of Tories, and before the new sliding-scale sort of nomenclature of Conservatives — Liberal Conservatives — progressive Conservatives — came into fashion, together with a variety of other names of very little meaning and much less sense. In those good old times it was the habit of the country to rely on its Colonies, and he recollected that in his younger days the toast drunk on all occasions was, 'Ships, colonies, and commerce.' Those good old days were passed, and now it was 'cotton twist and cotton yarn' instead of 'Colonies and commerce.' In those good old days it was thought necessary to cultivate the Colonies, and, on this principle, that those who begot children were bound to protect and support them. On the same principle, any nation which planted colonies ought to support and protect them until they were able to support and protect themselves." From this it followed, by Haliburton's reasoning, that the colonies should be encouraged to furnish lumber to the English markets. Sir Robert Peel's reduction of the lumber duties in 1842 without warning, as was then again contemplated, was cited, and the consequent sudden loss to the colonies of £5,000,000 pointed out. "The matter was one of great importance, not with respect to the few shillings a ton, but on the tenure of our colonies. He entreated the House to consider whether it was their intention to put it out of the power of those colonies to belong to them or not. He wished to warn the Government against the course they were pursuing. He could tell them from his knowledge of the people of North America, that this measure was now cutting the first strand of the cable which connected those provinces with this country." He would point out further that the steps contemplated in the reduction of the

Baltic timber duties were to be taken just as the colonists were engaged in their spring exportations.

This mentioned, Haliburton adverted to a letter which Mr. McAvity, the New Brunswick lumber merchant,[25] then in England, had addressed to the Chancellor of the Exchequer, calling his attention to the loss the change he proposed in the timber duties would mean to the colonists, and asking, as they had no way of protesting in the House of Commons, that the change be deferred until the interests affected had found some other way of expressing their opinions on it. To this letter, so Haliburton stated, Gladstone's reply was "very haughty and supercilious."

"'In your letter,'" he went on, quoting from Gladstone's response, "said the right hon. Gentleman, 'you protest as well as remonstrate.' Dreadful words! One would have fancied that the man McAvity must have used some terrible oaths, or discharged some extraordinary Yankee expletives, at the least. . . . 'Were I to examine your language critically,' he proceeded, 'I could not admit your title, even individually, to protest against any legislation which Parliament may think it right to adopt for the equalization of the duties on foreign and colonial wood.' [Cries of 'Hear, hear,' from the Ministerial side] Yes, they would 'hear' something more yet. 'And when you desire to remonstrate "on behalf of the inhabitants of a colony," I must observe that such remonstrances ought to be addressed to the Secretary of State for the Colonies'—here spake the Circumlocution Office! . . . A colonist was told that he must not presume to approach a personage like the Chancellor of the Exchequer of all England. He, the mayor of a pettifogging place, St. John's [*sic*], New Brunswick, must go back to his own country, and then address his Governor, who would forward his protest to the Secretary of State for the Colonies, who would exercise his discretion whether he should bring it before the Finance Minister. Probably it would never be laid before that Minister at all, because long before this colonist reached his home and got through the

[25] And as Haliburton said, mayor of St. John, "elected by a very different class from the £5 householders who were about to receive the franchise in England"!

Circumlocution Office, the Bill would have been framed by Parliament, and that would be the answer that his protest would receive. . . . Then the right hon. Gentleman said: — 'You describe this change as destructive of the trade and of the property of the colonists. If so, it can only be because the differential duty exacts from the people of England, who provide for the military and naval defense of New Brunswick at their own charge, an artificial price for its produce.' Now this would be an ungenerous expression, if even it were true; but, in point of fact, there was not a word of truth in it. England protect New Brunswick, of all countries in the world! Did the English Government protect it when they sent Lord Ashburton with a dash of his pen to strike off one-third of the colony, surrendering its best timber land, compelling a colonist to pass through a portion of the United States in order to reach his own capital, and cutting off his postal connection with Canada.[26] If this was protection the people of New Brunswick might be able to defend themselves against their enemies, but it would be hard to save themselves from their friends. Again did the English Government protect Nova Scotia when they abandoned its fisheries to the Americans?[27] In such hot haste was this done that when the delegates who, to put on a plausible appearance had been sent from Nova Scotia arrived at Quebec, they found the treaty signed. . . . Was that protection? In much the same way Canada was protected, when so badly drawn up was the last treaty, that the colonists found themselves debarred from a trade which they had anticipated because it was a coasting trade, and never got the navigation of the American canals in return for equivalent concessions which they were called upon to make. Was it protection to the North-West when, by a blunder which upon a competitive examination would have disqualified a man for a marching ensign's commission, the half of the beautiful territory of Oregon was given up, and the settlements of the North-West were handed over to the Americans, the line of demarcation being run into a place which had since led to a dispute about the island of San Juan."

Mr. McAvity's necessarily roundabout route to his home in St. John was next taken up and described at length to show the lack of railway connection in the colonies —

[26] See above, 582, 590. [27] See above, 555.

still further proof of England's failure to protect her possessions. Haliburton then resumed his discussion of the bill before the committee with a reference to the petition he had attempted to present to Parliament, and his later proposal, "that those 3,000,000 people from whom the petition was represented as emanating might be heard at the bar of the House." A laugh greeting this way of putting the matter, he retorted,

"Yes, those who considered the unrepresented rabble of England worthy of being heard night after night, thought nothing of 3,000,000 vastly more intelligent and able people than one-half of the constituency above the ten-pounders in this country." What was the answer he had received to his proposal? "'Such a thing was unheard of'; but he said that their [the colonists'] claims were not without precedent. There were precedents to which he could refer. He would refer to one. . . . Dr. Franklin was heard at the bar of the House, and told them as he now told them — but Dr. Franklin did it in triumph, while he did it in sorrow — that their legislation would lose them their colonies. Dr. Franklin's prophecy had been fulfilled. He prayed to God his might not be. A pretty reception Franklin met with. What was the language of Wedderburn? He pointed to him and called him a thief and a murderer, and a man that had forfeited the good opinion of mankind. It was not a very encouraging thing to be heard at the bar of the House. But Franklin wrote a little treatise which he might recommend some hon. Gentlemen to read — for they were travelling on the same road — in which he showed 'how a great nation may be made into a very small one.' If belonging to England proved a disadvantage, as it was appearing to, then the 3,000,000 inhabitants were ready to set up for themselves, for they felt as capable of independence as the Americans in 1776, or they would seek annexation to a nation more allied to their interests." Drawbacks had been allowed in the case of paper and wine manufactures, why not to colonial friends in the case of timber, especially since freights from Canada were much higher than from the Baltic ports? If England were to maintain her supremacy on the seas, she must retain the British North American colonies, the third largest shipping power in the world. Threats were repugnant, "but he must remind the House that the country

he was speaking of had all the disadvantages of a connection with England without any of its advantages. The inhabitants were not people who should be trifled with; they were rather entitled to expect kind if not paternal usage. Persons of the calico school, who regarded nothing but the manufacture of cotton, said that the United States were better customers now than when they were colonies, and that it would be no great loss to get rid of British North America. These at any rate were not patriotic sentiments, and they were not facts. The United States were in a great measure settled by rebels from this country — Cromwellians — but during the trying time of the American revolution, British North America remained true to the Sovereign, and when the revolution was over, thousands of loyalists passed from the States, and sought a home in the wilderness of our present North American colonies, in order to have the honour and satisfaction of living and dying under the British flag. Those were the men who begot the present race and transmitted the feelings of loyalty to the present generation. Nothing was so repugnant to the feelings of such people as to be treated with ridicule."

Here Haliburton referred again to the defense of the colonies undertaken by the colonists in 1812 and 1837,[28] and to their having assumed the expenses of their local governments, paying their Governor-General nearly double the salary received by the President of the United States. He mentioned also, with much bitterness, the reported intention of a Governor-General's wife to name four Canadian townships after her four pet dogs, and contrasted this with the treatment the Americans accorded their slaves in the matter of names. Witness the common Cato, Scipio, Venus! Returning once more to the reduction of the timber duties, he said that the Chancellor of the Exchequer had urged in defense of his measure the fact that the colonists taxed English products. But who had directed them to do so?

"Those who presided in that beautiful establishment in Downing Street, which operated as a nightmare upon our colonies, and who sent out instructions to the effect that the foreigner was not to be

[28] See above, 611.

taxed, and that England would get into trouble with respect to her treaty engagements if there were not discriminating duties." But after all the colonies themselves virtually paid this tax. They were placed in a humiliating position by Colonial Office mismanagement, and it was this they complained against. The Americans ridiculed them, and offered them terms for annexation. He would beseech the House not to afford cause for the continuance of American taunts. " In using the language to which he had given expression he was not afraid of being misunderstood. The whole object of his life and writings had been to unite, by bonds firmer and more indissoluble, Canada with England, to unite the raw material of the new country with the manufacturing skill of the old, in order that both possessing one language, one literature, one blessed system of freedom, they might grow together in prosperity and greatness under the ancient and glorious flag of Britain. To the sentiments which he had uttered that evening he had often before given expression, although in a form somewhat different, entertaining, as he did, an earnest hope that relations might endure forever between the two countries which were calculated to be profitable to both." [29]

Gladstone in replying to this speech said that he had to regret some of the language Haliburton had used and some of the comparisons he had drawn. Between the conduct of Tory England towards the colonies, which Haliburton had eulogized, and that of the present Parliament there was a paradox that Haliburton had overlooked, in that while the Tories taxed the colonies for the benefit of England the Liberals were but removing a tax which only England paid. Denying *in toto* Haliburton's statements concerning his correspondence with Mr. McAvity, he remarked that he had received a second letter from the latter, thanking him for the courteous terms in which his reply to the first was couched. And he denied further knowing anything of the burning dissatisfaction to which Haliburton had referred as existing in the

[29] Condensed from *Hansard,* CLVII, 3rd. ser., 2097 ff.

North American Colonies. The removal of the differential duties had been going on for a long time; in previous cases of reduction in timber duties notice had been given of the proposed changes, as in this; and they had never been made without warning, Haliburton's declaration to the contrary notwithstanding. The timber duties which still remained had long survived every other form of colonial protection by means of tariff regulations. That they, too, must now be abandoned was a necessity upon which the opinion of the English people was fixed. Moreover, he had not the slightest evidence, except Haliburton's speech just delivered, to show that the "very just and moderate measure" which he had introduced to carry out the will of the English public "was in any manner resented" by the colonists. Immediately following this response of Mr. Gladstone the division on Haliburton's amendment took place, the committee rejecting it 91–24. How far Haliburton came from accurately reflecting colonial sentiment by his hot-headed support of the New Brunswick lumber interests on this occasion is perhaps to be best shown in the comment it called forth in the columns of the New York *Albion,* a journal which hitherto had consistently defended even his most extreme views and had always accorded his works the most unstinted praise:

"A Too Zealous Friend. — On the 20th. ult. Mr. Haliburton delivered a lengthened speech in the House of Commons against the British Government, for its general ill treatment of the Colonies, and particularly for the Chancellor of the Exchequer's proposal to repeal the Foreign timber duty. We do not think the honourable gentleman's speech . . . will find an echo in any of the provinces, least of all in the Lower ones, for whose particular benefit it was volunteered. So far as we are able to judge from the tone of the press in New Brunswick and Nova Scotia, people are agreed that the action of the Chancellor of the Exchequer is not one of which they are in any way disposed to complain, al-

though they very naturally feel a desire to put off for a while the withdrawal of the advantages which Colonial has hitherto had over Baltic timber. . . . From Mr. Haliburton's speech one would think that Nova Scotia and New Brunswick were almost ready to rise in arms against the imperial authority, whereas there is nothing more warlike in either colony than the Volunteer movement. . . . The exaggeration of statement and the bitterness of tone assumed by Mr. Haliburton in the speeches he has hitherto delivered in Parliament on Colonial affairs, will, we are quite sure, find no echo in the colonies. All our neighbours ask is to be left in the quiet management of their own affairs, and they neither desire or need to have their trade bolstered up by differential duties to be paid by the well taxed people at home, and we are mistaken if the honourable member for Launceston will receive any thanks for his exertions to that end." [30]

The London *Times* was another of Haliburton's staunch supporters that deserted him at this time, declaring that in the economic principles upon which he based his amendment to Mr. Gladstone's bill, "he was entirely wrong." [31] The *Times*, however, proved not so unfaithful as to refrain from taking Gladstone severely to task for his "cavalier treatment" of what it seemed to regard as colonial sensitiveness. But the *Albion* and not the *Times* was right in interpreting colonial feeling respecting the effect of repealing the preference in favor of colonial timber. Even in the maritime provinces, where the lumber interests had been most benefited by the previously existing arrangements, the sentiment was strongly against the continuation of an artificial prosperity, particularly as it

[30] May 12, 1860. The *Albion* in this same article takes vigorous exception to Haliburton's account of how Mr. McAvity would have to travel by an expensive and roundabout route in order to reach home, blaming him with double severity for wilfully deceiving the British on a point of this sort when he was supposed to be an authority on colonial topography.

[31] May, 5, 1860.

was one that encouraged an industry generally felt to be drawing off labor and investment from agriculture and destructive of valuable natural resources.[32] Haliburton had in fact, for some inexplicable reason, foolishly allowed himself to be made the catspaw for a group of thoroughly self-interested colonial individuals. The welfare of the colonials at large, which he professed to have at heart, called for a stand on the repeal of the timber duties precisely opposite to that which he so stubbornly maintained.

No further passages-at-arms occurred between Haliburton and Mr. Gladstone in the Commons until a year later when the Chancellor of the Exchequer in bringing down his budget was incautious enough to make a sarcastic reference to the fears expressed in the previous session by his old-fashioned antagonist respecting the dismal future awaiting the colonial timber trade.

"We heard last year," said Gladstone, "in this House from the hon. member for Launceston a doleful wail concerning the destruction that was declared to be impending over I know not how many millions of the property of our British fellow-subjects in North America. Notwithstanding the terrors of that prophecy we persevered in our legislation; and I must record it to the honour of the colonists, that, as far as I am aware, not one word has escaped from them in complaint against the just and expedient measures adopted by Parliament for the benefit of the country. I am happy to say that they are not ruined, and that on the contrary their property is, to all appearances, in a very satisfactory condition. There has been an immense increase in the importation of foreign timber; but colonial timber has not disappeared from the British market, nay, it has been even more in demand than it was before. In 1859-60 colonial timber and deals were imported

[32] See Abraham Gesner, *Industrial Resources of Nova Scotia,* 216, 217; Charles Lyell, *Travels in North America,* I, 189, 190; contemporary evidence in both cases.

to the extent, taken together, of 1,262,000 loads. In 1860–61 after the perpetuation of the act of destruction to the trade, as we were told it would be, the import of colonial timber and deals rose to 1,276,000 loads." [33]

The effect of these remarks was to precipitate the most violent outburst of personal and party spleen from Haliburton to which it was the unhappiness of the House to have to listen. At the moment, however, he said nothing, but he bided his time for retaliation. He had not long to wait. The opening he was looking for was presented very shortly afterwards, during a protracted debate on the budget in the Committee of Ways and Means. The President of the Board of Trade had been defending Gladstone by pointing out the inconsistency of his opponents in talking national disaster and at the same time finding fault with the surplus revenue he had been able to announce. Naturally the announcement of this surplus had been the cause of a good deal of discomfiture among the opposition, and, with Haliburton in particular, an especially sore point. Its mention by the President of the Board of Trade was apparently the very cue Haliburton had been expecting, though possibly any other would have served equally well as a pretext for the attack he contemplated upon Gladstone and his followers. At any rate he was prompt in obtaining the floor, and in beginning his denunciation.

The previous speaker, he began, in directing attention to the inconsistencies of his opponents, had forgotten those of his colleagues, "who might well say, God help them from their friends." The Chancellor of the Exchequer had indeed boasted about his feat of showing a surplus, but what he had achieved in reality was a deficit "concealed under an avalanche of figures . . . an imaginary surplus for political purposes. . . . It was well known that the

[33] *Hansard,* CLXII, 3rd. ser., 571, 572.

Budget would be lauded to the skies. The very people who would praise it were pointed out — the itinerant politicians, the platform orator, the demagogues who sowed broadcast the seeds of discord — he might almost say of sedition — the men who strove to set the labourers against their employers and the lower classes against the higher classes. Those were the men who saw in the Budget the means of bringing into strong relief the particular object which they had in view — namely to create a difference between the people and the legislature. It was known also that it would be praised — praised was too feeble a word — it would be extolled to the skies by that mendacious, by that audacious, and by that wicked body of men who, in the most unblushing manner, dared to affirm in that House and on public occasions elsewhere, that the army and navy were not kept up for the defense of the nation, nor for the maintainance of its position, nor for the protection of our colonies and our commerce, but for the mean, base, and despicable purpose of supporting the younger branches of the aristocracy out of the taxes wrung from the hard earnings of the poor. . . . If the poor had taxes wrung from them for the vile and contemptible purpose which was alleged, let those Gentlemen of the Ministerial side come forward and join the Conservative party, who, whatever might be the vainglorious boastings and assumptions of others, were the real Liberals of England." Concerning the Government's proposal to reduce the duty on paper as a tax on knowledge he had to say, "To talk about the duty on paper being a 'tax on knowledge' was the veriest cant that ever was heard of. Talk of the publications for the million. Everybody who knew anything about those publications knew that rudimentary works and those books which had an immense circulation were to be had at the price of the paper and the printing, and nothing more. The tax fell upon the rich, upon the expensive works, upon those high priced books which were purchased by the higher classes, and where there was but limited circulation, and where the edition was a good one if it reached 800 copies. When they could get a newspaper for a penny, with good talent employed upon it, and the contents printed on a good paper; when there were club-rooms and free libraries, it was absurd to talk about the duty on paper being a tax on knowledge It was all cant. If there was one thing more detestable than another, it was cant. Last Session they had heard a great many references to the United States — hon. members were ashamed to make them

now — to the United States — that beautiful democracy, that country which had neither the incubus of a king, nor a House of Lords, nor an Established Church, nor a system of entails — nor any of those things that belong to a feudal age. There was an empire of pure reason — a land laid out in squares like a chess-board, a people with equal rights and equal votes. Such was the beautiful system that was offered to their admiring eye. . . . It happened that he had lived the whole of his life, with the exception of the last five years, on the other side of the Atlantic, and he had been sometimes astonished at that sort of talk, and sometimes amused — astonished at the ignorance displayed, and amused at well-informed people falling into that error. All this was cant, cant, and nothing else. Cant had been the cause of the disunion in the United States . . . he declared that all the dissensions in the United States were entirely owing to political cant. The papers told us, and many people who could not see below the surface believed, that the disruption had arisen from the anti-slavery feeling, from the dreadful abhorrence which the Americans felt at having property in human beings. That was all very proper, no doubt. He should admire it if it had any existence, but it had not. There was not the slightest truth in it — not the least in the world. It was a mere election cry, a political catch-word. Slavery was an institution, unfortunately — we must blush when we said so — unfortunately a legacy we left to the United States. But it was an institution known and recognised, and protected by the Constitution of the United States from its origin. [Question, question!] He was not surprised that the hon. members opposite below the gangway did not like this subject. He could easily see why it was so distasteful to them, and why they seemed to be so uneasy when he spoke of political cant. To pass, however, to the matter that had led him to rise, the Chancellor of the Exchequer had thought proper in his self-glorification the other night to allude to a petition from North America, in reference to the timber duties, in very insolent and scornful terms." [34]

At this remark, Gladstone, probably wearied with Haliburton's rigmarole in prolongation of an already tedious discussion, and perhaps more desirous of getting on to

[34] What Gladstone actually said on the occasion referred to has been quoted above, 627, 628. He made no allusion to the petition at

the conclusion of the debate than actually sensitive to his assailant's criticism, arose to a point of order, not, as he said, "on personal grounds, but because the language of the hon. Gentleman affects the dignity of the House." The history of Haliburton's luckless facility in breaking the rules of parliamentary courtesy was thereupon repeated, and the Speaker had to inform him that the expressions he had just used were objectionable. The conventional apology followed at once, of course, Haliburton withdrawing the words to which exception had been taken and stating that he regretted having used them; but he persisted in having his say out about the petition nevertheless, and that in spite of further cries of, "Question," from the Ministerial benches.

This mention of the petition, he defiantly told those who would hurry him to make an end of his speaking, was so far connected with the subject under discussion that it was concerned with the reduction of certain duties for which the Government had taken credit to itself. "He thought it was within the limit of Parliamentary discussion if he spoke of that. If the House decided that he was not to be heard, he would sit down and submit. But let the House recollect that there were 4,000,000 of unrepresented people across the water;[35] that they were not only not represented in that House, but that they did not ask to be represented." The petition from the New Brunswick colonists, which he then went on to describe, was both reasonable and respectful in language. "The question, however, was decided against them, and they submitted and there was an end to it. But in alluding to that petition, the Chancellor of the Exchequer said he had heard a doleful wail from Canada (and then he threw his hand back as

---

all, but only to Haliburton's prophecy with regard to the future of the colonial lumber industry in case the differential duties were removed.

[35] Haliburton always seemed to be uncertain in the House whether it was 3 or 4 million of people for whom he was the unofficial spokesman!

one would wave away a beggar in the street), and many predictions of ruin. When the right hon. Gentleman said he had heard predictions of ruin from our North American Colonies, he (Mr. Haliburton) must be allowed to tell him that his ears had grossly deceived him; for such predictions had never been used or insinuated. It was not in the power of the Chancellor of the Exchequer, whatever his legislation might be, to ruin that country. Neither was it in the power of the British Parliament. Nothing could ruin that country but the hand of God or their own folly. The country was too young, too vigorous, too full of enterprise and of resources, to be ruined by anything that the right hon. Gentleman or that House could do to them. What right, then, had the right hon. Gentleman to stigmatise as a doleful wail a respectful petition from a colony which, since the disruption of the United States, was now taking the lead as the first nation in the American continent. 'A doleful wail' was a thing that had never been heard from America. Since 1620, when the Puritans first landed upon that shore, up to the present moment, 'a doleful wail' had never been heard from that part of the world." If the Chancellor of the Exchequer really wished to hear a doleful wail let him go to Coventry[36] or to Oxford,[37] "where, in shady groves or academic retreats, his constituents, the remnants of a past age, occupied themselves with the records of bygone times, and taught the dialect of the dead to living men, and there he would hear lamentations that a tacit contract had been rudely broken between him and them — the contract that whoever had the high honour to represent that great, learned, and venerable body, should be a staunch supporter of the institutions of Church and State, and not a man that gave a cold, reluctant, or silent support; not one of those who —

> 'Damn with faint praise — assail [*sic*] with civil leer,
> And without sneering, teach the rest to sneer.'

[Cries of "Divide" from the Government members.] What had they to divide upon? They would divide in good time, and, perhaps, the hon. members opposite would be surprised at the result."[38]

[36] Where the cry of "hard times" had been recently heard as the result, so the Conservatives alleged, of the Government's trade treaty with France.

[37] Gladstone at that time sat in Parliament as the member from Oxford University.

[38] Condensed from *Hansard*, CLXII, 3rd. ser., 1129 ff.

But the pugnacious old provincial had little more with which to further try the patience of his hearers. Some additional observations, partly on the intelligence and loyalty of the colonists, and partly on their recent cordial reception of the Prince of Wales on his visit to America, all submitted as proof of the colonials' right to the respect and "best attention" of the British, and the only one of Haliburton's speeches in Parliament to excite the least exultation even among those of his contemporaries who were the most implacable of Gladstone's political enemies,[39] was brought to a conclusion. Yet it was too vehement in its opinions and too tiresome in its mannerisms to be suffered to pass with no other adverse notice than merely the humiliating censure that had been meted out to it by the Speaker, and there was one of Gladstone's followers only too ready to pay off a personal score as well as to defend his chieftain. Mr. Bernal Osborne, member for Liskeheard, upon whom fell the superfluous duty of replying to Haliburton, had been twitted in *The Season Ticket*[40] on his attempts to conceal his Jewish extraction, and evidently relished taking his revenge:

"... it is one of the inconveniences of an adjourned debate," he said in the course of his rather small-minded retort, "especially of a debate in which no definite issue has been raised, that we are rather puzzled to discover — to use the language of the hon. and learned Gentleman who has just resumed his seat — not only what it is which we are discussing, but what is the question upon which we are to divide. I must add that I do not think the hon. and learned Gentleman has refreshed the recollection of the House as to what this adjourned debate is about; while he himself, in his own words, 'the remnant of a past age,' has touched upon nearly every topic except the issue which is immediately under

[39] See the Plymouth *Mail*, May 1, 1861, for a specimen of Conservative glee over Haliburton's baiting of Mr. Gladstone. Quoted *Acadian Recorder*, June 8, 1861.

[40] 75.

consideration. The hon. and learned Gentleman is a man famous for his literary ability, and as the author of works of fiction which are universally read; but I must say that after the exhibition which he has made tonight, he had, in my opinion, better undertake another edition of *The Rambler*. He has told us that he has lived so entirely on the other side of the Atlantic that he is, as a matter of course, unaccustomed to debate in the House of Commons, and he accordingly devoted his speech to observations on the Colony of Canada and to the loyal reception which the Prince of Wales met in that quarter, as if the right hon. Gentleman the Chancellor of the Exchequer were not sufficiently acquainted with that subject. . . ."[41]

But such unnecessary jibes at a harmless opponent, who, as he himself said, "if he had spoken warmly, he had felt deeply,"[42] only extended the unpleasantness of the incident by inducing a champion for Haliburton to take the floor, although it was a somewhat equivocal defense he had to offer for the senile colonial member.

". . . after the severe castigation which the hon. Gentleman who had just sat down [Mr. Osborne] lately received from the noble Lord at the head of the government," protested Major Edwards, member from Beverly, in undertaking to vindicate the venerability of grey hairs,[43] "he little expected that the hon. Gentleman would have tonight used such terms to a member of the House so distinguished for his literary attainments, and whose character in the country stood so deservedly high, as to call him, the hon. member for Launceston, the 'remnant of a past age.' Why, the hon. Gentleman has as much life and brilliancy in him as his assailant would have, for all the presumptuous tone he adopted in the House, if he lived for a century."[44]

[41] *Hansard,* CLXII, 3rd. ser., 1135, 1136.

[42] *Ibid.,* 1133.

[43] What reproof Mr. Osborne had received from Palmerston appears not to have been recorded in *Hansard,* but some idea of its nature may be inferred from the reputation which the member from Liskeheard had as "the greatest of Parliamentary buffoons." Plymouth *Mail,* May 1, 1861.

[44] *Hansard,* CLXII, 3rd. ser., 1142.

Nothing else that Haliburton had to say in Parliament after this, his last, tilt with Gladstone affords matter in any way worth commenting upon except here and there an occasional remark in reference to the United States or the British American colonies. The greater the difficulties of the American government in consequence of the Civil War, the less did Haliburton appear to trust the good intentions and good faith of the people fighting to make genuine their claims to democracy. Speaking in a debate in which the efforts of England, France, and Spain to get the United States to consent to an international police force to restrain Mexican privateering had been mentioned, he parodied the likely reply of the Americans to the inquiry instituted as follows:

"You are beating up for recruits against the Mexicans. But they are Republicans as we are. They break the laws and repudiate their engagements at pleasure as we do. Their liberty is exactly like ours — that is, every man may do what he pleases with reference to the law. It is only the case of the big eagle and the little one. So we must decline your offer;" [45]

and added in support of the character he had thus given to a nation with which he frequently declared in the House he was intimately acquainted that,

". . . anybody who knew anything of the people of the States would know what pleasure would be felt at the fact of a privateer, nominally commanded by a Mexican but in reality by an American, catching English merchantmen on the coast of Mexico." [46]

At another time he arose to request information as to the capture of a Confederate vessel by a Federal warship in one of the Nova Scotian harbors, and to complain that similar breaches of the rights of neutrals were common on

[45] *Ibid.*, CLXV, 3rd. ser., 1270. [46] *Ibid.*, 1273.

the part of the Northerners, from whom only evasive replies had so far been obtained. Continuing on a closely related topic, he called attention to the ill-repute in which the American prize courts were held among the North American colonists. It was these courts which gave the decisions in the case of colonial or English ships captured in lawful trade with Bermuda or Nassau. The judges who presided over them, he asserted,

> "were generally chosen for political objects, and because of the political opinions which they held. They were beneath contempt, and, to use the language of the Americans themselves, not to be trusted." [47]

Colonists, therefore, felt, and with reason, that their property was often wrested from them unjustly.

> "They felt, moreover, that the Americans were a people who would go just as far as they were allowed, and that when they took a step they were disposed to go a step further if not checked." [47]

And in the last debate but one in which he participated he said concerning the laxness of the British authorities in allowing the *Alabama* to escape from an English port to prey on Northern shipping, with a resulting increase in the bitterness of feeling against Great Britain in the Northern states:

> "This had produced a great deal of irritation, and some very rough language had been used by their [the Americans'] newspapers, which were never famous for truth or mildness of expression, especially towards this country — but it was all 'bunkum' — *vox et praeterea nihil;*" [48]

and on this same occasion, speaking of the American intention to terminate the Reciprocity Treaty with the

[47] *Ibid.*, CLXXIII, 3rd. ser., 825. [48] *Ibid.*, CLXXVIII, 134.

colonies, he was inclined to pooh-pooh the idea of its being carried out since, as he assured the Commons, "the whole loss" arising from the cessation of the treaty

"would fall upon the Americans; because that, like every other treaty which they had made with us, was altogether in their favour . . . and if it were put an end to the abrogation would be to their cost." [49]

Finally, in this same debate, he confessed that the Americans were a people for whom "he had no great predilection," a lack of enthusiasm for them which he evidently regarded as amply justified by the statement with which he followed its admission: "He did not like their democratic institutions, nor the ungodly and unchristian way in which they carried on the war in which they were at present engaged, nor their utter disregard of all International Law." [50] The warm admiration for the United States and its constitution which had been so agreeably conspicuous in *The English in America* had become completely dissipated before the close of the Civil War, although the opinion respecting the Americans at which Haliburton eventually arrived is by no means to be altogether explained by the events of that struggle in their relations to Great Britain. For after all he had only reverted to an attitude towards democracy in America which he had assumed early, and which he had long maintained and repeatedly expressed.

The point of view from which he finally came to consider the development of colonial affairs, on the other hand, exhibited in several of its manifestations a remarkable progression beyond that which had been for years thoroughly traditional with him. Colonial office appoint-

[49] *Ibid.*, CLXXVIII, 134, 135.
[50] *Ibid.*, CLXXVIII, 3rd. ser., 138.

ments of colonial governors were, of course, as little to his satisfaction as ever.

"Indeed," he is recorded as stating in the House as late as 1862, "the two or three last appointments had astonished every man, woman, and child in the country. . . . Why, if the Government had sent out five large stamps, with V. R. upon them, and had placed them in the custody of proper officers to affix to public documents when required, some £20,000 a year, which might have gone towards the military defences, would have been saved." [51]

But upon the question of colonial confederation his latest expression of opinion represents a rather thorough turnover in his former convictions, to such an extent in fact, that his estimate of the relative loyalty of two of the colonial groups affected by the movement for closer union in the North American colonies discloses an almost total reversal in the beliefs he had clung to previously. The once rebellious Canadians, who supported confederation, were now the paragons of patriotism, while the always devotedly British maritime provincials, who looked upon the proposed partnership with open disfavor, were stiff-necked obstructionists in the pathway of Empire welfare, though there was, to be sure, a nearly adequate apology for their obstinacy. In the only reference Haliburton ever made to this all-absorbing subject of colonial union during the period of his service in Parliament, he stated his position as follows:

"The people of Canada were, moreover, perfectly loyal and very much attached to this country; indeed, he did not think that in Canada a disloyal man of any sect, or creed, or colour was to be found. New Brunswick and Nova Scotia, he was sorry to say, did not deserve the same praise for the part they had acted in the matter of the Confederation, and he hoped the Secretary of the Colonies would show that he was aware that such was the case.

[51] *Ibid.*, CLXV, 3rd. ser., 1059.

It was not easy to coerce them, but he trusted the right hon. Gentleman would let them understand how matters stood.[52] Those two colonies were equally anxious for British connection, but when some years ago responsible government was granted to them it was unaccompanied by any definition to preclude the possibility of everybody putting upon it his own meaning. By some, therefore, it was construed in the most extensive and enlarged sense as operating to cut off all British influence, and to make the colonies completely independent, and thus it was that they came to be cursed with demagogues who made use of all sorts of arguments in support of their views, and who, being possessed of a good deal of talent and very little property,[53] appealed to the prejudices and passions of the people and led them astray. They would only see in Confederation a diminution of their own little personal in-

[52] Haliburton was doubtless led to make this suggestion to the Colonial Secretary, by the receipt of a letter written from Nova Scotia by his son, R. G. Haliburton, which the latter speaks of in his pamphlet, *Intercolonial Trade . . . 1868,* as follows: "So impressed was I by the dangerous state of public opinion [in Nova Scotia in opposition to confederation] which accident had forced upon my notice, that I wrote in November, 1864, to the late Judge Haliburton, who was then in Parliament, and was much interested in the question of Colonial union, warning him that the supposed unanimity of Union sentiment in Nova Scotia relied upon by the *Canadian News,* and by the local press, was imaginary — that the tide of public opinion was setting rapidly the wrong way, and that *unless it was guided without delay* by a strong despatch from the British Government, setting forth the reasons and the necessity for Union, there could be no hope of Confederation being accepted by the people of Nova Scotia for some years to come." Apparently R. G. Haliburton thought that either his exposure of the true state of affairs in Nova Scotia was not convincing or that his father was remiss in his duty towards the colonies, for he adds: "These views, opposed as they were to the almost unanimous voice of the provincial press, were supposed to be erroneous. At any rate the point was not urged upon Mr. Caldwell [the Colonial Secretary], and the despatch was not written." (10)

[53] A survival of Haliburton's old resentment against Joseph Howe? Or a renewal of it caused by Howe's stand against confederation? See above, 392.

fluence — they duped the people by playing on their loyal feelings — they told them to beware of Canada, for it was once in rebellion and would entangle them if it could, and that they would be swamped in the immensity of that country."[54]

Familiar as this may seem in its judgment of those who first introduced the idea and the working of responsible government into the colonies, it does not alter the fact that Haliburton's ultimate conception of the thing itself was, in comparison with all his earlier reactions to it, nothing short of revolutionary — that is, of course, if the only other two statements he made about it in Parliament may be accepted at their face value. Speaking once of the Canadian practice of raising revenue by laying duties on importations from Great Britain, he said, "If this country gave the colonies responsible government and free institutions, then the Canadian Government ought surely to be allowed to be the best judges of the means of increasing its revenue;"[55] and, far more, significantly and explicitly, on another occasion when he questioned the right of the Imperial government to send out instructions to the Canadian Governor-General that would lead to his disregarding colonial laws or the findings of colonial courts, he declared:

"The colony [Canada] had a government and a legislature of its own, and was competent to perform all the acts that were necessary to the government of its people. In all internal matters it was supreme and its jurisdiction exclusive. . . . The Government of a constitutional colony was to be carried on by the Governor by and with the advice of his Council. If, therefore, any order went out which directed him to pursue a certain course without the advice of his Council, it would be a contravention of the constitutional rights of the people. It would place him in

[54] *Hansard*, 3rd. ser., CLXXVIII, 136, 137.
[55] *Ibid.*, CLXV, 3rd. ser., 1058.

antagonism with his constitutional advisers, and be subversive of anything like responsible government." [56]

This, it would seem, marks Haliburton's complete capitulation to the forces of enlightenment in colonial rule, and makes it possible to record that before the close of his public career he had arrived at a full understanding of the secret of successful colonial administration. If he was nearly thirty years later than Joseph Howe in attaining to this comprehension of a fundamental truth, it was not his custom to lag behind his great contemporary in everything pertaining to colonial prosperity, as we know. In the thoroughly practical matters of inter-provincial and intra-Empire transportation, for instance, and in the more visionary plannings for Imperial organization, he had kept well abreast of his one-time friend, and in his endorsement of colonial confederation was considerably in advance of him, Howe's acceptance of the union scheme not being final until 1868.

Following the dissolution of Parliament in July, 1865, Haliburton was not a candidate for re-election, the precarious state of his health not permitting him to attempt even the light labors of the representative for Launceston. Throughout the summer he continued to be ailing, though apparently without causing undue concern to those most frequently with him. On Friday, August 22, he was well enough to pay a visit to London, and had returned in good spirits and with much animated talk of the news he had heard and the sights he had seen there. During the rest of the week, however, his strength gradually failed him. On Sunday morning, August 27, he had come down stairs, and according to his usual custom had been wheeled

[56] *Ibid.*, CLXI, 3rd. ser., 823.

in his invalid's chair about the lawn. Left alone for a short time by his wife and son, he was discovered on their return to have grown dull and faint, and when first spoken to was unable to reply, though after a brief interval he managed feebly to ask that a doctor be sent for. He was at once assisted to his room, but before he could be placed on his bed he expired.[57] At his own request his funeral was simple and private.[58] During its progress the business establishments of Isleworth were closed as a mark of the respect in which he was held by the villagers. His remains lie buried in the parish churchyard at Isleworth in fitting proximity to those of the great explorer Vancouver,[59] the value of whose discovery on the western coast of the British North American possessions Haliburton had devoted much of the energy of his later years to making known to a then unappreciative Empire.

Haliburton's passing excited only the slightest sympathetic public interest in his native province. *The Nova-*

[57] Georgina Haliburton, Manuscript; *The Law Times,* Sept. 9, 1865.

[58] According to the usually accepted reports. *The West Middlesex Herald,* a local paper of the Isleworth district, however, published the following account of the funeral, Sept. 2, 1865: "Every demonstration of respect was shown to the memory of the deceased by the inhabitants [of the village], who unanimously partially closed their various establishments on the day of the interment. The funeral took place at twelve o'clock, and was of a public character, consisting of a hearse drawn by four horses plumed, three mourning coaches, plumed, and the deceased's private carriage."

[59] R. G. Haliburton in *Haliburton: a Centenary Chaplet,* 39. Vancouver's grave in the Isleworth burying ground, it seems, had fallen into neglect, and the inscription on his tombstone had become illegible, at the time Haliburton took up his residence at Gordon House. He interested himself in having the old tombstone replaced by a new one and in having a tablet to the explorer's memory placed in the parish church. *Ibid.,* 39.

scotian, with which his name and fame had early been connected, and which since had followed his career, at first with friendly, and afterwards with hostile, attention, published not a word in announcement of his death. In England, though numerous biographical sketches and obituary notices appeared in the press as tributes to his memory, they really only served as testimonials to the completeness with which he had become forgotten. Conceived in every case with kindness and indulgence, they betrayed again and again the difficulty with which those who wrote them recalled even what were once the well-known facts of his life and the significance of his works. Indeed from the time these brief reviews of his career were printed may be dated the beginning of the tangle of misstatements and misinformation which has now grown up about Haliburton's activities and accomplishments. The positions he occupied, the reputation he enjoyed in the colonies and abroad, the date of his removal to England, the origin of *The Clockmaker,* its purpose and that of the volumes he wrote subsequently, the very titles of his books, the extent of his services to the colonials, his place in English literature, and his contribution to the development of American humor, are all items which were erroneously set down by one or other of his commentators at the time of his decease, and which have been mistakenly and persistently repeated to this day. Already Haliburton's claims to recognition as a humorous entertainer of a formerly distinctive type had so far faded out of mind by 1865 that there were few persons then living who would have been likely to observe the real implications of two paragraphs placed in immediate juxtaposition to one another in the *Illustrated London News* on September 9 of that year, one recording the death of "Sam Slick" and the other announcing the coming of "Artemus Ward" to England.

The long-time reigning favorite in the realm of Yankee jokedom had gone the way of all flesh in an hour of comparative indifference to his wealth of "merry conceited jests" and shrewd sayings, while in eager expectation a fickle public waited to greet with mirthful plaudits the droll antics and nonsense sketches of his successor.

CHAPTER XXIV

CONCLUSION

Two entirely distinct Haliburtons, each thoroughly inconsistent with the other, seem bound to emerge into clearness as the result of this study, as they must from any impartial examination of the life and works of its subject. On the one hand is the forward-looking, respect-compelling Haliburton. This was the man who, if his intrepid belligerency against the evils of an irresponsible oligarchy in his native colony, his eloquent plea for complete religious toleration for all classes of worshippers there, his spirited defense of a struggling non-sectarian county academy, and his frank condemnation of the exclusions and restrictions as to creed imposed on education at his own *alma mater,* had been followed up by similar advances in the direction of reform, might have made himself the standard-bearer of colonial liberalism; who never ceased to decry the disastrous consequences of political differences and the intrigues of unscrupulous politicians; who steadily denounced petty office-seekers and place-hunters as insidious enemies of the common good; who served his country for years with patriotic devotion, both as public servant and private citizen; who conferred a lasting benefit upon his fellow colonists by fearlessly satirizing their fatal habits of shiftlessness and despondency, and by constantly holding before them the glowing prospects of their future prosperity; who in season and out preached the doctrine of Imperial unity and Empire solidarity; who

professed a philosophy of cheerfulness and expounded the gospel of an optimistic outlook; who was a loyal associate, a jovial friend, and a boon companion; who had a surprisingly accurate knowledge of the vagaries of human conduct, a virile and invigorating wit, and an inexhaustible fund of clean, wholesome humor; who usually sought to inculcate a commendable standard of civic virtue; and who was highly enough regarded to evoke while intimate recollections of him were still freshly in mind the following generous tribute:

> "While Wit and Humour have the power to charm,
> And men their subtle utterances admire,
> One great Canadian name shall yet inspire
> His countrymen, and critic arts disarm
> Of power, its fame to lessen or to harm;
> And fill the kindred soul with emulous fire,
> And bid it to sublimer heights aspire.
> He gained his laurels and inscribed his name,
> As only they — the genius-gifted — can;
> And Fame — with herald and with trumpet — Fame
> Proclaimed him henceforth cosmopolitan,
> And gave the world — not Canada — the man.
> Wit, Humorist, Historian — all in one,
> Acadia proudly calls him still her own."[1]

On the other hand there is the backward-looking, contempt-provoking Haliburton. This was the man who at the time he finally retired from public life was chiefly conspicuous for his stubborn and almost unique adherence to, and advocacy of, the principles of an outworn and utterly discredited type of Toryism, which he had embraced for his own so many years before that his early radical and reckless assault on the special abuses

[1] By W. A. Calnek, the highly respected first historian of Annapolis County, Nova Scotia, in *Stewart's Quarterly* (St. John, N. B.), IV, 58, 1870.

which this very system of government had once produced in the colonies was all but completely forgotten; who took a leading part in a momentous constitutional struggle as a bitter combatant on the side of reactionary opposition to progress, and that while holding a judicial appointment in which he was bound by well-established custom, if not by legal enactment, to preserve a strict party neutrality, and who managed by means of his peculiar contribution to the cause he thus unwarrantably espoused in the open to stir up more violent partisanship and ill-feeling than any one other individual involved in the entire dispute; who lost no opportunity to recommend himself for, or to insinuate himself into, official preferment; who never urged the adoption of a single measure or the undertaking of a single enterprise for his country's improvement in which it is certain that he had not a purely personal or selfish interest; who by reason of his severe strictures passed on their lamentable or laughable social conditions brought his people into a status of scornful disrepute from which they have as yet scarcely been able to redeem themselves; who for all his protestations of sincere attachment to his native province eventually left it disappointed, disgruntled, and disgusted with it, and then, according to the official and public reports of the incident, dishonestly forced from its unwilling authorities the payment of a paltry annual pension; who until nearly the end of his career resisted by every argument he could muster for the purpose the one conception of a united Empire — the thing he claimed to desire above all others — that offered the most certain promise of its successful realization; who increasingly exemplified throughout his whole life a spirit of gloom, foreboding, and disillusion; who because of a contemptible indulgence in venomous satire threatened to disrupt one of his dearest and closest friendships; who held himself aloof

from the " common people " in an irascible and unsociable pretension of class or family superiority; who was notoriously deficient in his comprehension of the underlying drift and meaning of the popular movements going on around about him; who uttered dull commonplaces, cheap puns, and vulgar *double entendres;* who often, though perhaps unwittingly, taught what was based neither on expediency nor morality; and who commanded such scant respect that within barely over a decade beyond his death he was recalled in no more complimentary lines than these:

" Among the Notables who have appeared
In Nova Scotia, that should be revered,
Than *Haliburton,* the historian, none
More famous living, less regretted gone!
It is but little & that little dim,
& desultory we can tell of him,
A miscellaneous volume — self-contained
Oft too indelicate to be explain'd,
Where every page with jibes, & jeers, & jokes
To peels [*sic*] of laughter purposely provokes;
And paragraphs, more prodigal of wit,
Than what is deemed for seminaries fit,
&, happy hits, by grimaces convey'd,
That have not always carefully been weighed.

In the similitudes we have to spare,
With which he might ostensibly compare,
Are panoramas — more diffuse by far,
But more unique than panoramas are;
Less vivid in conception too the plan
Upon the canvass [*sic*] than was in the man.
In the transitions so abruptly made
By the ' clock pedlar ' genius was displayed.
Altho' at times mistakes did interpose
Between him and the characters he chose.
No stammering at queer stories where a wink,
The broken pieces could together link,

Or hesitation how to slide, or slur,
O'er kinks and crumples when they did occur,
Nothing too ticklish for him to recite,
But what was muddy gave him most delight,
The more ridic'lous always prized the more,
The louder it did make the list'ners roar.
& innuendoes had a certain place,
As special fav'rites on his fullmoon face,
Even if not always visible, yet they
Whenever wanted were not far away.

We have another simile, that, might
Be for our preface deem'd more apposite.
If e'er a live kalideoscope [*sic*] could be
In human figure, then 'Sam Slick' was he.
Who ever in a tube, has seen a mass,
Thrown in by chance of beads & broken glass,
& felt the real enchantment they possess,
In all their vast & varied loveliness,
May possibly from the ideal glean,
What we, in the origonal [*sic*], have seen.

'Sam' was an oddity, an humourist,
& oft the bench enlivened with a jest,
Sometimes absurd, &, often out of place,
But, did contrive to keep a serious face,
& not infrequently the Bar forgot,
Their gravity by some grotesque *bon mot*.
His twinkling eyes so exquisitely droll,
Beam'd in their sockets like a burning coal,
So that the Court would for an instant pause,
& join the audience in their loud guffaws.
His *liaison* for a pun could not be hid,
And spiced with fun was all he said or did.
With social friends, or as a judge in court,
He had a quenchless appetite for sport.
& far & wide are aphorisms 'Sam'
In sayings quaint & curious did enbalm,
But 'Sam' a tory proselyte became,
& dead! there is no odour in his name.

Even of his exit there is nothing known,
More than the newspaper notices have shown.

. . . . . .

He left his country, it is understood,
More for his own than for his country's good.
He was an Author! but there was no wail!
At his demise, in all his native vale!
Or demonstration yet been made to show
What Nova Scotians to his memory owe." [2]

Extremes indeed meet, as Haliburton himself was frequently given to saying. The truth about him, moreover, lies in no convenient compromise between the two extremities of fact and opinion here presented. It includes them both. Recent estimates of him, nevertheless, have as a rule tended only to consider the former, and wholly to ignore the latter. The result has been the creation of a partial myth about the "Foremost writer of British North America," concerning whom in the process it has been stated extravagantly that, "He wrote not for an age, but for all time"; [3] and erroneously that he was, "a man of whom his coevals spoke in no slighting terms — whether as an orator, a legislator, a writer, a judge, or a citizen"; [4] and both extravagantly and erroneously that he was, "the first and only creator of a unique and distinct species of fictional characterisation and speech and humour," "in his day the supreme aphorist and epigrammatist of the English speaking peoples," and one whose "wit and wis-

[2] From "The Preface, A Poem of the Period," in *Poems*, by "Albyn," Halifax, 1876. "Albyn" was one Andrew Shiels, a blacksmith, of Dartmouth, N. S., once well known as the "bard of Elanvale," and conspicuous among the versifiers regularly featured by *The Novascotian*. Though now completely forgotten, he is still worth remembering as the arch-dean of the formerly extensive naïve school of provincial poetry.

[3] T. G. Marquis, in *Canada and its Provinces*, XII, 541, 542.

[4] A. H. O'Brien, *Haliburton, a Sketch and Bibliography*, 3.

dom remain part of the warp and woof of modern world literature."[5] But Haliburton's fame needs no enhancement by credit for what he neither was nor did. Haliburton never achieved greatness, though he occasionally approached it. Nor was he from any point of view a genius of the first order. What he lacked in higher qualities, however, he went far towards making good by the uses to which he put his extraordinary gifts of mental alertness and ingenuity. He contributed nothing to the store of the world's enduring thought, but he contrived to instruct and entertain an international audience for the better part of a full half century. Cut off from the main currents of intellectual stimulus, he had the curiosity to enlighten himself on nearly every question of considerable importance in his time, and the ability to discourse on each with an oracular power that always found for him attentive listeners. The amount of informing small talk he acquired on subjects of a somewhat more trivial nature was truly amazing. Much that he wrote was crude and careless, tiresome, sentimental, and labored, yet with all this that was inferior in his numerous volumes there was also sufficient of popular appeal, and of solid worth as well, to justly obtain for him, a resident of a despised colony still in the pre-confederation era of Canadian development, and with native literature only in its infancy there, a more general and more cordial recognition as a man of letters than has been secured by any other colonial author before or since. While his first published venture in humor was doubly fortunate in falling into the hands of a friend eager to promote its circulation, and in appearing at the precise moment ripe for its hearty reception, there was unquestionable merit in a performance which, with its

[5] J. D. Logan, "Re-views of the Literary History of Canada," *Canadian Magazine*, XLVIII, 129.

sequels, could fairly eclipse the wide-spread favor of the models from which it was copied. Undeniable composite though he was, Sam Slick was no mere imitation, but quite different enough from his predecessors in the tradition to which he belonged to fully deserve in his own right all the renown long accorded him, save only that of being the first of his kind. The days of "Sam Slick sez" are now definitely over, but there is the testimony of incontrovertible evidence in plenty to show that he had his period of notable triumph, and that it was not brief.

While Haliburton as a maker of wise saws — and it was in that rôle ordinarily that as Sam Slick he was once so freely quoted — enjoyed a vogue that lasted well down to the present, his furious and protracted opposition to anything that might terminate in a democratic control of the colonies, either from within or without, rendered unavoidable his prompt and decisive rejection as a political theorist. Against this uncompromising verdict of his fellows, later-day admirers of his scarcely deviated from, until too tardily modified, paternalistic Imperialism have adduced no reasonable grounds for dissent. What he persistently pled for on the whole could manifestly only defeat his own ends. That he had an appreciable influence in preserving a permanent union between Great Britain and her overseas possessions, however, though not in determining the form it should take, is hardly to be doubted. His merciless impaling of the colossal ignorance of colonial affairs at the Colonial Office, and his exposing to ridicule the inefficient administrative policy of that institution was quite as opportune as audacious. Catching from others[6] the vision of what a vast all-British transportation system would mean in forwarding the consummation of the Imperial ideal he so devoutly wished to see trans-

[6] Mostly from Major Carmichael-Smyth and Joseph Howe.

formed into actuality, he enthusiastically supported the proposal and materially assisted in popularizing it in the face of skepticism and indifference. He perhaps forwarded the attainment of a closer Empire organization also by suggesting identical tariff regulations for the mother country and the colonies, and the presence of colonial advisers on Imperial council-boards.

Concerning such other activities and interests of Haliburton as here invite final comment or appraisal little remains to be observed that has not already been pointed out. He became the most persistent, and probably the most effective, publicity-agent of its natural resources and advantages that his province has ever had. And he was scarcely less assiduous in disseminating information about its sister-provinces. To match his unusual knowledge of the topographical and commercial features of the colonies, he had a remarkably detailed acquaintance with the manifold aspects of colonial life common everywhere about him — which is by no means the same thing as saying he had the profound insight into human nature he is repeatedly asserted to have possessed, largely through his early reviewers having blundered into ascribing to him personally what he himself expressly attributed to Sam Slick. Of immeasurably greater value to his abiding reputation was the rare facility he had of making memorable what he knew of the colonials by hitting it off in vivid caricature. In utilizing this his most precious talent to impress his various lessons in thrift and diligence, politics and government, he produced a series of pictures unsurpassed as an accurate revelation of the manners and customs of his contemporaries. The element of comic exaggeration necessarily incident to this kind of drawing emphasizes rather than obscures the essential fidelity of his descriptions. Together with his realistic, though equally graphic, record of

persons and scenes familiar to him through everyday contact they constitute decidedly his most skillful and most finished work as a writer. If he continues to retain his position of eminence in provincial literature, it will not be by virtue of all the didactically applied wit of his humorous anecdotes, nor by all the brilliant fire and clever invective of his serious arguments, but because he has left no posterity these faithful and painstaking delineations of his people and their environment. Little else that the bequest of his diligent pen affords can ever again prove attractive to the average reader, though obviously to the historically-minded there is much besides in his books that will always appeal as a dependable and unfailing source of antiquarian information. In certain other respects, to be sure, his literary endeavors should make him gratefully remembered, if not extensively read. It was he, for instance, who conducted the pioneer exploration of his country's annals, and it was he, too, who first revealed the wealth of romantic and tragic happenings in its absorbing story, and showed the way to its possibilities for fiction. For the rest, the greater portion of his writings, he has already paid the inevitable penalty of the political propagandist. In spite of his many services in their behalf, his countrymen have never as yet erected any substantial memorial to perpetuate the name of their earliest noteworthy author, or the titles of his once popular compilations. For those who may resent or regret this striking, and significant, failure to honor so celebrated, though often mistaken, a prophet in his own land there is at least the consolation of Sam Slick's pertinent inquiry, "Who the devil cares for a monument that actilly desarves one?" [7]

[7] *The Attaché,* second series, II, 19.

BIBLIOGRAPHY

Students of Haliburton will recognize the indebtedness of this Bibliography to those of J. P. Anderson of the British Museum, in *Haliburton: a Centenary Chaplet*, 107–116, and of A. H. O'Brien, in the *Transactions of the Royal Society of Canada*, 1909, section II, 43–66, reprinted 1909 and 1910 as *Haliburton, a Sketch and Bibliography*. The author's unpublished revisions of the latter work have also been consulted.

A. HALIBURTON'S WORKS

1. A General Description of Nova Scotia. Illustrated by a new and correct map.

   1. 1st ed. Halifax, N. S. Printed at the Royal Acadian School, 1823.

   2. A new edition, Halifax. Printed at the Royal Acadian School. Reprinted for and sold by Clement H. Belcher, Halifax, 1825.

2. An Historical and Statistical Account of Nova Scotia.

   1. 1st ed. Halifax. Printed and Published by Joseph Howe, 1829, 2v.

   "In this, and in the following edition, the author is described on the title-page as 'Thomas C. Haliburton, Esq., Barrister at Law, and Member of the House of Assembly of Nova Scotia.'" — *O'Brien.*

   2. An ed. Halifax. Published for Joseph Howe, and sold by C. H. Belcher; Robert Scholey, London, and Oliver and Boyd, Edinburgh, 1829, 2v.

   "This edition is printed from the same type as No. 1, with a new title-page and the half title 'Haliburton's Nova-Scotia' added. It is probable that some sheets of the original edition were sent over to London in order that the names of the British booksellers might appear on the title page." — *O'Brien.*

3. An ed. London. John Snow, 1839, 2v.

"In this and in the following edition the author is described as 'Chief Justice of the inferior court of Common Pleas, and President of the courts of session for the middle division; Author of 'The Clockmaker, or the Sayings and Doings of Samuel Slick of Slickville,' 'Bubbles from Canada' and 'Sam Slick in England.'" — *O'Brien.*

4. An ed. Halifax, Nova Scotia. Published for Joseph Howe and sold by C. H. Belcher, Halifax. John Snow, London, and Oliver and Boyd, Edinburgh, n. d., 2v.

"This edition is not dated but it could not have been issued before 1844, as it refers to 'Sam Slick in England,' which only appeared in 1843–44.

"On the title page the author is still described as 'Chief Justice of the inferior Court of Common Pleas,' while as a matter of fact this court was abolished in 1841, and the Chief Justice [properly the *First* Justice of the Middle District] was transferred to the Supreme Court of the Province." — *O'Brien.*

3. The Clockmaker; or, the Sayings and Doings of Samuel Slick, of Slickville.

First Series

1. 1st ed. Halifax, Joseph Howe, 1836.
2. An ed. Halifax, Joseph Howe, 1837.
3. 2nd ed. London, Richard Bentley, 1837.
4. An ed. Philadelphia, Carey, Lea & Blanchard, 1837.

"First American edition, printed in November, and reprinted in December." — *O'Brien.*

5. 2nd ed. Philadelphia, Carey, Lea & Blanchard, 1837.

" This is probably the second American edition." — *O'Brien.*

6. An ed. Philadelphia, Lea & Blanchard, 1838.
7. An ed. London, Richard Bentley, 1838, pp. 367.
8. An ed. London, Richard Bentley, 1838, pp. 329.
9. 2nd ed. London, Richard Bentley, 1838.

"Four plates drawn and etched by A. Hervieu. This is the first edition published with plates. The following notice, dated October 24, 1838, is inserted opposite page 1. 'The purchasers of the previous editions of "The Clockmaker" are informed that

they can be supplied with the illustrations, now published, at the price of one shilling and six-pence for each series, on application to their respective booksellers.' This will account for the occasional presence of plates in the earlier editions.

This edition has, on the title page, the words, 'Second edition,' notwithstanding the editions of 1837 (see Nos. 3 and 5). No 'third edition' seems to be known." — *O'Brien.*

10. 4th ed. London, Richard Bentley, 1838.
11. An ed. Concord, William White, 1838.
12. An ed. Philadelphia, Lea & Blanchard, 1839.

"This edition was stereotyped, and reprinted several times." — *O'Brien.*

13. An ed. Concord, Israel S. Boyd, 1839.
14. 5th ed. London, Richard Bentley, 1839.
15. An ed. New York, William H. Colyer, 1840.
16. An ed. London, Richard Bentley, 1843.

"This edition is stated to be 'In three volumes.' Vol. I is First series; Vol. II, Second series, and Vol. III, Third series, *quid vide.*" — *O'Brien.*

17. An ed. New York, Hurd & Houghton, 1872.

"Six woodcuts by F. O. C. Darley. This edition has been reprinted a number of times by Hurd & Houghton, New York, and Houghton, Osgood & Co., and Houghton, Mifflin & Co., Boston. All reprints are from the same set of stereotype plates." — *O'Brien.*

18. An ed. New York, J. B. Alden, 1887. Irving Library, No. 172.

Second Series

19. 1st ed. London, Richard Bentley, 1838, pp. 378.
20. 2nd ed. London, Richard Bentley, 1838, pp. 325.
21. An ed. London, Richard Bentley, 1838, pp. vi, 354.
22. An ed. London, Richard Bentley, 1838, pp. iv (2), 354.
23. 3rd ed. London, Richard Bentley, 1838, pp. (1) iv (2), 354.

" Four plates, drawn and etched by A. Hervieu." — *O'Brien.*

24. New ed. London, Richard Bentley, 1838.

"Same plates as No. 23. — *O'Brien.*

25. An ed. Philadelphia, Carey, Lea & Blanchard, 1838.

"First American edition." — *O'Brien.*

26. An ed. Concord, Boyd & White; Boston, Benjamin B Mussey, 1838.

27. An ed. Philadelphia, Lea & Blanchard, 1839.

28. 4th ed. London, Richard Bentley, 1839.

"Same plates as No. 23." — *O'Brien.*

29. 5th ed. London, Richard Bentley, 1839.

"Same plates as No. 23." — *O'Brien.*

30. An ed. New York, William H. Colyer, 1840.

31. An ed. London, Richard Bentley, 1843.

"Same plates as No. 23. See note to No. 16. Dedicated to Col. C. R. Fox." — *O'Brien.*

The entry in G. R. Fairbanks' Journal, referred to above, 232, foot-note, indicates that Haliburton meant to dedicate the first edition of this series to Colonel Fox, and also that copies of it were printed bearing the dedication.

Third Series

32. 1st ed. London, Richard Bentley, 1840.

"Five plates by John Leech." — *O'Brien.*

33. An ed. Philadelphia, Lea & Blanchard, 1840.

34. An ed. London, Richard Bentley, 1843.

"Same plates as No. 32. See note to No. 16." — *O'Brien.*

35. An ed. New York, Colyer, 1841.

36. An ed. New York, Dick & Fitzgerald, n. d. [1858?]

"Published under the title 'The Sayings and Doings of Samuel Slick, Esq., together with his opinion on Matrimony, etc.'" — *O'Brien.*

Combined and Miscellaneous Series

37. An ed. Paris, Baudry's European Library, 1839.

"Vol. 234 of the Library consists of the First and Second series of 'The Clockmaker,' and 'The Bubbles of Canada.'" — *O'Brien.*

38. An ed. Paris, A. and W. Galignani & Co., 1839.

39. An ed. Paris, 1841.

40. An ed. Paris, Baudry's European Library, 1840–41.

"Vol. 289 of the Library consists of 'The Letter Bag of the Great Western' and the First and Second series of 'The Clockmaker.'" — *O'Brien.*

41. An. ed. Braunsweig, Germany, 1840–42.

"Translation into German." — *O'Brien.*

42. An ed. New York, W. H. Colyer, 1841.

43. An ed. London, Bryce, n. d.

44. An ed. London, 1845.

45. An ed. Philadelphia, Lindsay & Blakiston, 1846. See O'Brien's note under 50, below.

46. An ed. London, Richard Bentley, 1848. Bentley's Cabinet Library, First Second and Third series.

47. An ed. London, Richard Bentley, 1849. Identical with 46.

48. An ed. London, Richard Bentley, 1850. Identical with 46.

49. An ed. London, Richard Bentley, 1852. Identical with 46.

50. An ed. Philadelphia, T. B. Peterson & Brothers, n. d., 2 woodcuts.

"The First and Second series, published under the title 'Judge Haliburton's Yankee Stories.'" — *O'Brien.* Some copies carry the title "Sam Slick the Clockmaker."

51. An ed. Philadelphia, T. B. Peterson, 1856. See note to No. 50.

52. An ed. Philadelphia, T. B. Peterson, 1857. See note to No. 50.

53. An ed. Philadelphia, Lindsay & Blakiston, n. d. See note to No. 50.

54. An ed. London, Milner & Co. Limited, n. d. 3 vols. in one. Woodcut, First, Second and Third series.

55. An ed. London, George Routledge, 1858. 12mo.

56. An ed. London, George Routledge, 1858. 8vo.

57. An ed. London, George Routledge, 1862.

58. An ed. London, George Routledge, 1870.

59. An ed. London, George Routledge, 1878. First, Second and Third series.

60. An ed. New York, George Monro, 1880. In Seaside Library, No. 413, June, 1880.

61. An ed. London, George Routledge & Sons, 1884.

62. An ed. London, Frederick Warne & Co., n. d.

63. An ed. New York, 1889.

64. An ed. London, George Routledge & Sons, 1904. First, Second and Third series.

65. An ed. London, George Routledge & Sons, Ltd., n. d., pp. viii, 329.

"A cheap reprint. Very badly printed." — *O'Brien.*

66. An ed. Toronto, Munson, 1918.
67. An ed. London, George Routledge, n. d., pp. viii, 533.

4. The Bubbles of Canada. By the author of "The Clockmaker."
   1. 1st ed. London, Richard Bentley, 1839.
   2. 2nd ed. London, Richard Bentley, 1839.
   3. An ed. Philadelphia, Lea & Blanchard, 1839.
   4. An ed. Paris, Baudry's European Library, 1839. See note, "Clockmaker" eds., No. 37.

5. A Reply to the Report of the Earl of Durham. By a Colonist.
   1. 1st ed. London, Richard Bentley, 1839.
   2. An ed. Halifax, 1839.

6. The Letter-Bag of the Great Western; or, Life in a Steamer. By the author of "The Sayings and Doings of Samuel Slick."
   1. 1st ed. London, Richard Bentley, 1840.

   "Sabin, Morgan, and others give the first edition as London, 1839. This appears to be an error." — *O'Brien.*

   2. An ed. Halifax, Joseph Howe, 1840.
   3. An ed. Philadelphia, Lea & Blanchard, 1840.

   "The first American edition." — *O'Brien*

   4. An ed. Paris, Baudry's European Library, 1840.
   5. An ed. New York, William H. Colyer, 1840.
   6. An ed. Paris, Baudry's European Library, 1840–41. See note, "Clockmaker" eds., No. 40.
   7. An ed. London, 1843.
   8. An ed. New York, 1847.
   9. An ed. Philadelphia, T. B. Peterson, 1850.

   "Published under the title 'The Letters of Sam Slick; or, Life in a Steamer.'" — *O'Brien.*

   10. An ed. London, Richard Bentley, 1853.
   11. An ed. London, Bryce, 1856.
   12. An ed. London, 1858.
   13. An ed. London, Bryce, 1862.
   14. An ed. London, George Routledge & Co., 1862.
   15. An ed. London, George Routledge & Co., 1865.
   16. An ed. London, George Routledge, 1873.
   17. An ed. London, George Routledge & Sons, n. d.

7. The Attaché; or, Sam Slick in England. By the author of "The Clockmaker; or, Sayings and Doings of Sam Slick," etc.

First Series

1. 1st ed. London, Richard Bentley, 1843. 2v.
2. 2nd ed. London, Richard Bentley, 1843. 2v.
3. An ed. Philadelphia, Lea & Blanchard, 1843.

"Published under the title 'Sam Slick in England — First Series.'" — *O'Brien.*

4. An ed. New York, William H. Colyer, 1843.
5. An ed. Paris, A. and W. Galignani & Co., 1843.

Second Series

6. 1st ed. London, Richard Bentley, 1844. 2v.
7. An ed. Philadelphia, Lea & Blanchard, 1844.

"Published under the title 'Sam Slick in England — Second Series.' " — *O'Brien.* Another edition by the same publishers and of the same date has the title "The Attaché or Sam Slick, 2nd and last series."

8. An ed. Paris, A. and W. Galignani, 1845.
9. 2nd ed. London, Richard Bentley, 1846. 2v.

"This edition is stated to be 'In four volumes.' Vols. I and II are the First Series, and Vols. III and IV, the Second." — *O'Brien.*

Combined Series

10. An ed. New York, W. H. Colyer, 1844. 2 pts.
11. An ed. London, 1849.
12. An ed. London, David Bryce, n. d.
13. An ed. Philadelphia. [1849?]
14. An ed. London, Bentley, 1851.
15. An ed. Philadelphia, T. B. Peterson. [1854?]
16. An ed. New York, Stringer & Townsend, 1856.
17. An ed. New York, Dick & Fitzgerald. [1858?]
18. An ed. London, George Routledge, 1859.
19. An ed. London, George Routledge, 1862.
20. An ed. London, George Routledge, 1871.
21. An ed. London, George Routledge & Sons, n. d.
22. An ed. New York, George Munro, 1880. In Seaside Library, No. 473, Oct., 1880.
23. An ed. New York, Dick & Fitzgerald. [1880?]
24. An ed. Paris, Baudry's European Library, n. d.

8. The Old Judge; or, Life in a Colony. By the author of "Sam Slick, the Clockmaker," "The Attaché," etc.

1. 1st ed. London, Henry Colburn, 1849. 2v.

"Sabin and Morgan give the first edition as '1843'. This is obviously an error, as the original sketches in 'Fraser's Magazine' did not appear until 1846." — *O'Brien.*

2. An ed. New York, Stringer & Townsend, 1849, 2 vols. in one, pp. 239.

3. An ed. New York, Stringer & Townsend, 1849, pp. 114.

4. An ed. Paris, Baudry's European Library, 1849.

"A translation into French of portions of the work appeared in the *Bibliothèque Universelle de Genève*, Tome X, pp. 459–494, under the title 'Le Vieux Juge, ou, Esquisses de la vie dans une Colonie.'" — *O'Brien.*

5. An ed. [Germany] 1849–50. 3v.

"A translation of the three series into German." — *O'Brien.* What O'Brien means by "the three series" is doubtful. No other edition appears in more than two *volumes.*

6. New ed. London, Henry Colburn, 1850. This and the following eds. have only one vol. each.

7. An ed. New York, 1852.

8. An ed. London, Hurst & Blackett, 1860.

9. An ed. London, Hurst & Blackett. n. d. Frontispiece.

10. An ed. New York, Dick & Fitzgerald, 1862.

11. An ed. New York, Dick & Fitzgerald. [1870?]

12. An ed. New York, George Munro, 1880. In Seaside Library No. 895, December, 1880.

9. Rule and Misrule of the English in America. By the author of "Sam Slick the Clockmaker," "The Attaché," "The Old Judge," etc.

1. 1st ed. London, Colburn & Co., 1851. 2v.

"The above edition has the title 'The English in America.' Subsequently a new title page was substituted, having the title 'Rule and Misrule of the English in America,' and the half title 'The English in America.'

Morgan gives the editions of this work as '1841,' '1843,' and '1850,' while Sabin and Larned give the first edition as '1843.' All these dates are wrong." — *O'Brien.*

See above, 506, foot-note, for comment of R. G. Haliburton as to change in title. At least some copies of the new title page bear the words "New Edition with Additions."

2. An ed. New York, Harper & Brothers, 1851. 1v.

10. Traits of American Humor, by Native Authors. Edited and adapted by the author of "Sam Slick," "The Old Judge," "The English in America," etc.

1. 1st ed. London, Colburn & Co., 1852. 3v.

"Sabin, Morgan and others give the first edition as '1843.' No trace of such an edition can be found, and it is very certain it never existed." — *O'Brien.*

2. An ed. Philadelphia, T. B. Peterson, [1852]. This and the following eds. have only one vol. each.

"Published under the title 'Yankee Stories and Yankee Letters.'" — *O'Brien.*

3. An ed. London, Hurst & Blackett, 1866. Frontispiece by H. G. Hine.

4. An ed. London, Hurst & Blackett, 1873.

5. An ed. London, n. d. Frontispiece by H. G. Hine.

11. Sam Slick's Wise Saws and Modern Instances; or, What he Said, Did, or Invented.

1. 1st ed. London, Hurst & Blackett, 1853. 2v.

"Morgan gives the date of the first edition as 1843. This is an error." — *O'Brien.*

2. An ed. Philadelphia, Blanchard & Lea, 1853.

3. 2nd ed. London, Hurst & Blackett, 1854. 2v.

4. An ed. New York, 1855.

"Published under the title 'Wise Saws, or, Sam Slick in Search of a Wife.'" — *O'Brien.*

5. New ed. London, Hurst & Blackett, 1859. Frontispiece by John Leech.

6. An ed. London, Hurst & Blackett, n. d. "A new edition." Frontispiece by John Leech.

7. An ed. New York, Dick & Fitzgerald, n. d.

"Published under the title 'Sam Slick in Search of a Wife.'" — *O'Brien.*

8. An ed. New York, George Munro, 1880. In Seaside Library, No. 895, December, 1880.

12. The Americans at Home; or, Byeways, Backwoods, and Prairies.

1. 1st ed. London, Hurst & Blackett, 1854. 3v.

"Sabin, Morgan, and others state that the first edition was published in 1843; this is undoubtedly an error." — *O'Brien.*

2. An ed. London, Hurst & Blackett, n. d. 1v. Frontispiece by Linley Sambourne.

3. An ed. Philadelphia, T. B. Peterson, n. d.

"Published under the title 'Yankee Stories and Yankee Letters.'" — *O'Brien.*

4. An ed. London, Hurst & Blackett, 1873.

13. Nature and Human Nature. By the author of "Sam Slick, the Clockmaker."

1. 1st ed. London, Hurst & Blackett, 1855. 2v.

2. An ed. New York, Stringer & Townsend, 1855.

3. An ed. London, Hurst & Blackett, n. d. Frontispiece by John Leech.

4. An ed. London, Hurst & Blackett, 1859. Frontispiece by John Leech.

5. An ed. New York, Dick & Fitzgerald, n. d.

6. An ed. London, Hurst & Blackett, n. d. Frontispiece by John Leech.

"A recent reprint." — *O'Brien.*

14. An Address on the Present Condition, Resources and Prospects of British North America, delivered by special request at the City Hall, Glasgow, on the 25th March, 1857, by the Hon. Mr. Justice Haliburton.

O'Brien's list adds to this title the words, "Printed for gratuitous circulation." Copies of the Address exist without them.

1. 1st ed. London, Hurst & Blackett, 1857.

2. An ed. Montreal, John Lovell, 1857.

15. Speech of the Hon. Mr. Justice Haliburton, M.P., in the House of Commons, on Tuesday, the 21st of April 1860, on the Repeal of the differential duties on Foreign and Colonial Wood.

1. London, Edward Sanford, 1860.

"The date of the speech, as given on the title page, is wrong; it should be Friday, April 20th. Further, the speech was on the repeal of the duties on 'wood,' not, as frequently printed, 'wool.'" — *O'Brien.*

16. The Season-Ticket.
    1. 1st ed. London, Richard Bentley, 1860.
    2. An ed. London, Richard Bentley, 1861.
    3. An ed. London, Richard Bentley, 1866.
    4. An ed. London, Frederick Warne & Co., 1872. "New edition."

[The carefully compiled bibliography appended to R. P. Baker's *Sam Slick*, a selection from Haliburton's chief works, which appeared while the present volume was in process of printing, contains a number of editions of *The Clockmaker* and *The Attaché* not listed above.]

B. REVIEWS OF INDIVIDUAL WORKS

Americans at Home, The.

British Quarterly Review, XXI, 60–78, 1855.
New Quarterly Review, III, 261, 1854.

Attaché, The.

Albion, Aug. 12, 1843; Nov. 30, 1844; Dec. 21, 1844.
Athenaeum, July 8, 1843, 622–623; July 15, 1843, 648–650.
Chambers' Edinburgh Journal, XII, 251, 279, 1843.
Knickerbocker, XXII, 382–384, 1843.
Literary Gazette, July 8, 1843, 441–445; Nov. 2, 1844, 699–701.
Littell's Living Age, IV, 151–161, 1845.
Monthly Review; n. s. II, 475–483, 1843; n. s. III, 558–564, 1844
Novascotian, Feb. 10, 1845. (Copied from the British Colonist n. d.)
North American Review, LVIII, 211–224, 1844, by C. C. Felton
Spectator, July 15, 1843, 664–665; Nov. 9, 1844, 1073.
Spirit of the Times, Aug. 5, 1843. (Copied from the London Examiner, n. d.); Dec. 7, 1844. (Copied from an unacknowledged English source.)

Bubbles of Canada, The.

Albion, Feb. 23, 1839.
Monthly Review; n. s. II, 300–301, 1839.
Spectator, Jan. 19, 1839, 64.

Clockmaker, The

Acadian Recorder, June 10, 1837; July 1, 1837.

Albion, Aug. 18, 1838; Feb. 23, 1839. (Copied from an unacknowledged English source.)

Athenaeum, April 15, 1837, 262–263; July 7, 1838, 471–473; July 14, 1838, 488–490; Nov. 14, 1840, 902–904; Nov. 21, 1840, 922–924.

Blackwood's Magazine, Nov. 1837, "The World We Live In," No. XIII, by "Christopher North" (?).

Chambers' Edinburgh Journal, VI, 92–93, 1838.

Literary Gazette, April 1, 1837, 204–205; July 7, 1838, 417–419; Nov. 7, 1840, 713–716; Nov. 14, 735–737; Nov. 21, 750–751.

Mirror, April 22, 1837, 251–254.

Monthly Review; n. s. II, 105–107, 1837; n. s. III, 8–12, 1838; n. s. III, 497–504, 1840.

New York Mirror, Sept. 8, 1838, 85–86.

Novascotian, June 8, 1837; Aug. 10, 1837.

Spectator, April 1, 1837, 306–307; Nov. 7, 1840, 1073–1074.

Spirit of the Times, Nov. 21, 1840. [12, 1840.

Times (London), Oct. 22, 1838; Nov. 1, 1838; Nov. 27, 1840; Dec.

Historical and Statistical Account of Nova Scotia.

Eclectic Review, III; 3rd series, 119 ff., 1830.

North American Review, XXX, 121–135, 1830, by C. W. Upham.

Letter-Bag of the Great Western.

Acadian Recorder, March 7, 14, 1840.

Athenaeum, Jan. 11, 1840, 31–33.

Bentley's Miscellany, VII, 11–16, 1840.

Knickerbocker, XV, 253–254, 1840.

Literary World, II, 250–254, 265–267, 1840.

Monthly Review, n. s. I, 306–314, 1840.

Spectator, Jan. 18, 1840, 65–66.

Times (Halifax), Nov. 3, 1840.

Nature and Human Nature.

Albion, May 10, 1855.

Athenaeum, March 10, 1855, 286–287.

Literary Gazette, June 2, 1855, 342–344.

Old Judge, The.

Bibliothèque Universelle et Revue Suisse, 4th series, X, 459, 1849.

Hogg's Instructor, III, n. s., 3–6, 29–32, 1849.

Present Condition, Resources and Prospects of British North America, An Address on the.
Blackwood's Magazine, LXXXII, 110–128, 1857.

Reply to the Report of the Earl of Durham.
Acadian Recorder, May 18, and ff. nos., 1839, by "Also a Colonist."
Albion, May 18, 1839.
Quarterly Review, LXIII, 521–522, 1839.

Rule and Misrule of the English in America.
Acadiensis, II, 15–18, 1902, by C. E. A. Simonds.
Albion, Sept. 27, 1851.
Church Review and Ecclesiastical Register, IV, 523 ff., 1852.
Irish Quarterly Review, I, 523–548, Dec. 1851.
Quarterly Review, XCIV, 565 ff., 1854.
Revue des Deux Mondes, n. p. 11, 1027–1045, 1851, by Emile Montégut.

Sam Slick's Wise Saws and Modern Instances.
Acadian Recorder, June 18, 1853.
Albion, June 18, 1853.
Chambers' Edinburgh Journal, XIX, 394–396, 1853.
New Quarterly Review, II, 391–394, 1853.
The Provincial; or Halifax Monthly Magazine, II, 279, 1853.

C. BIOGRAPHICAL SKETCHES AND CRITICAL ARTICLES

Acadia Athenaeum, May, 1890, 76.
Allibone, S. A. Critical Dictionary of English Literature. Philadelphia, 1891, I, 759–760; Supplement, 1892, II, 742.
American Cyclopaedia. New York, 1881, VIII, 391–392.
Anderson, J. P. Bibliography in Haliburton: A Centenary Chaplet.
Annual Register, 1865, Pt. II, 195–196. Obituary.
Appleton's Cyclopaedia of American Biography. New York, 1887, III, 36.
Athenaeum. Sept. 2, 1865, 309–310. Obituary.

Baker, R. P. A. History of English Canadian Literature to the Confederation. Cambridge, 1920, 68–97.
—— (Editor) Sam Slick, [a selection from Haliburton's chief works], New York, 1923, 13–28.

Bentley's Miscellany, XIV, 81–94, 1843, with portraits.
Bibaud, Maximilien. Dictionnaire Historique des Hommes Illustres du Canada et de l'Amérique. Montreal, 1857, 140.
—— Le Panthéon Canadien. Montreal, 1858, 115–116; 1891 ed., 114.
Boase, G. C. Dictionary of National Biography. London, 1890, XXIV, 43–45.
Bourinot, Sir John. Builders of Nova Scotia. Toronto, 1900, 62–65 with portrait.
—— Canada (In Story of the Nations Series). New York, 1896, 359–360, with portrait.
—— The Intellectual Development of the Canadian People. Toronto, 1881, 104–105.
British Cyclopaedia. The various editions.
Bryce, George. A Short History of the Canadian People. London, 1887, 476–477.
Burpee, L. J. Fragments of Sam Slick. Introduction. Toronto, 1909.

Calnek, W. A. "Distinguished Canadians." I. Stewart's Quarterly. St. John, N. B. IV, 58.
—— and Savary, A. W. History of the County of Annapolis. Toronto, 1897, 418–426, with portrait.
Campbell, Duncan. Nova Scotia in its Historical, Mercantile and Industrial Relations. Montreal, 1873, 117, 183, 257, 328, 334, 335.
Campbell, Wilfred. Canada. London, 1907, 31–34.
Cassell's New Biographical Dictionary. London, 1892, 411.
Cates, W. L. R. Dictionary of General Biography. London, 1867, 1875, 467.
Century Cyclopaedia of Names. New York, 1894, 475.
Chambers' Biographical Dictionary. London, 1899, 452, 1914.
Chambers' Encyclopaedia. New edition. London, 1890, V, 514.
Chambers, Robert. Cyclopaedia of English Literature. London, 1876, II, 697–698; 1904, III, 723.
Chasles, Philarète. "Samuel Slick." Etudes sur la littérature et les Moeurs des Anglo-Américains au XIXe siècle. Paris, 1851, 389–419; appeared originally in the Revue des Deux Mondes, April 15, 1841, 306–325.
—— "Sam Slick, the Clockmaker." Anglo-American Literature and Manners. From the French of P. Chasles. New York, 1852, 222–248.
Chautauquan, XXXI, 11, April, 1900.
Chisholm, J. A. Green Bag, 1895, VII, 489–495, with portrait.

Cooper, Thompson. Biographical Dictionary. London, 1873, 644.
Critic, Feb. 5, 1859, 126, with portrait.
Crofton, F. Blake. Canada, an Encyclopaedia of the Country. Toronto, 1899, 177–181.
—— Giants of the Dominion, 220–231.
—— Proceedings of the Haliburton Society of the University of King's College No. I. Windsor, 1889, 77. "Haliburton, The Man and the Writer." With portrait. This sketch, which contains the substance of two papers read before the Nova Scotia Historical Society in 1888, was re-written for Haliburton: a Centenary Chaplet.
—— "Thomas Chandler Haliburton." Atlantic Monthly, LXIX, March, 1892, 355–363.
Curtis, G. W. "Editor's Easy Chair." Harper's Magazine, LXIII, 637, 1881.

Dictionnaire Général de Biographie et d'Histoire. Pt. I, 1337.
Drawing Room Portrait Gallery, 1860. Series 3. Engraving.

Eaton, A. W. H. Haliburton Genealogy. New England Historical and Genealogical Register, LXXI, 57–74.
Eddis, E. U. Tinted lithograph portrait, in folio. London, 1839.
Edgar, Pelham, Cambridge History of English Literature. New York, 1917, XIV, 382–386.
Encyclopaedia Americana. New York, 1904, 1907, VII.
Encyclopaedia Britannica, London, 1880, XII, 383; 11th ed., New York, 1910, XII, 837.
English Cyclopaedia. London, III, 257–258, 1856.

Fenety, G. E. Life and Times of the Hon. Joseph Howe. St. John, 1896, 39–46, with portrait.

Gentleman's Magazine, Dec. 1865, 787–788. Obituary.
Gleason's Pictorial, 1853, IV, 320. Engraving.
Grand Dictionnaire Universel. Paris, 1873, tome 9, 30.
Grande Encyclopédie. Paris, XIX, 757.
Grant, James. Portraits of Public Characters. London, 1841, I, 291–304.
Guardian, Aug. 30, 1865. Obituary.

Haliburton: a Centenary Chaplet. Published for the Haliburton Club, King's College, Windsor, N. S. Toronto, 1897, 116. 5 illustrations. 260 copies printed. Reprinted for private circulation, with a biographical notice, Toronto, 1899, 126. Only 75 copies printed.

Haliburton, Georgina. Manuscript, now in the possession of Mrs. L. H. Moore, Wolfville, N. S. See also the manuscript collection of the New England Historical and Genealogical Society, Boston, Mass.

Haliburton, R. G. "A Sketch of the Life and Times of Judge Haliburton." In Haliburton: a Centenary Chaplet.

Harrison, Robert. Imperial Dictionary of Universal Biography. London, 1869, IV, 778.

Hood, E. P. Master Minds of the West. London, 185?, 32–34.

Horning, L. E. "Canadian Literature." Acta Victoriana, Dec. 1897, 97–112, with portrait.

Howells, W. D. "Editor's Easy Chair." Harper's Magazine, CXXXIV, 443.

Illustrated London News, July 15, 1843, 37, with portrait; and Sept. 9, 1865, 245, with portrait.

Illustrated Times, Sept. 9, 1865, 157. Obituary.

Imperial Dictionary of Universal Biography. 1866.

Johnson's Universal Cyclopaedia. New York, 1896, III, 112.

Law Times, XL, 538, 545, 549. Sept. 2, 1865.

Locke, G. H. Builders of the Canadian Commonwealth. Toronto, 1923, 49 ff.

Logan, J. D. "Re-views of the Literary History of Canada." Canadian Magazine, XLVIII, 5 ff.

—— Scott and Haliburton (pamphlet), Halifax, 1921.

—— "Why Haliburton Has Had No Successor." Canadian Magazine, LVIII, 363–383.

London Review, Sept. 2, 1865, 261. Obituary.

MacMurchy, Archibald. Handbook of Canadian Literature. Toronto, 1906, 13–17.

Makers of Canada. Index vol. Toronto, 1904–11, XXI, 161.

McCarthy, Justin. Portraits of the Sixties. N. Y., 1903, 117 ff.

Mahon, A. Wylie. "Sam Slick's Letters." Canadian Magazine, XLIV, 70 ff.

Marquis, T. G. "English Canadian Literature." Canada and Its Provinces. Toronto, 1914–17, XII, 141, 142.
Men of the Reign. A Biographical Dictionary. London, 1885, 385.
Modern Cyclopaedia. London, 1902, IV, 330.
Montégut, Emile. "Un Humoriste Anglo-Américain." Revue des Deux Mondes, V, 731–748.
Morgan, Henry J. Bibliotheca Canadensis; or, a Manual of Canadian Literature. Ottawa, 1867, 166–171.
Morning Post, Aug. 29, 1865 (Editorial). Obituary.
Moulton, C. W. Library of Literary Criticism. Buffalo, 1901–05, VI, 455–457.
Murdoch, Beamish. History of Nova Scotia. III, Halifax, 1867, numerous references.

National Cyclopaedia of American Biography. New York, 1894, V, 353–354, with portrait.
New Popular Encyclopaedia. Montreal, 1897, IV, 1246.
Nouvelle Biographie Générale. Paris, 1858, XXIII, 147–148.

O'Brien, A. H. Haliburton, A Sketch and Bibliography. Montreal, 1909.

Pound, D. J. Engraving after photograph by Mayall.

Reader, Sept. 2, 1865, 263. Obituary.
Roberts, Charles G. D. History of Canada. Boston, 1897, 423–424.
Rose, George Maclean. Cyclopaedia of Canadian Biography. Toronto, 1888, 443–444.
Ross, E. M. "A Sam Slick Centenary." Canadian Bookman, III, 29–32.
—— "Thomas Chandler Haliburton." Americana, XVI, 62–70.
Royal Society of Canada, Transactions. 1897, II, 59, portrait.

Sabin, Joseph. A Dictionary of Books Relating to America. New York, 1875, VII, 556–558. List of Works.
Sanders, L. C. Celebrities of the Country. London, 1890, 528.
Savary, A. W. History of the County of Annapolis Supplement.
Scott, H. P. "Haliburton as a Humorist and Descriptive Writer." In Haliburton: a Centenary Chaplet.
Shiels, Andrew. ("Albyn.") "The Preface, a Poem of the Period." Poems, Halifax, 1876.

Standard, Aug. 30, 1865. Obituary.
Statesmen of England, London, 1862, with portrait.

Tallis, John. Drawing Room Portrait Gallery. London, 1860, 3rd series, with portrait.
Trent, W. P. "A Retrospect of American Humor." Century Magazine, LXIII (n. s. XLI), 59. With portrait.
Trollope, T. A. What I Remember. London, 1887, I, 359, 360.
Tupper, J. F. Canadian Academy, March 1910, I, No. 1.

Walford, Edward. Men of the Time, etc., London, 1862, 353.
Wallace, P. A. W. Selections from Sam Slick. Toronto, 1923, 5–14.
Warner's Library of the World's Best Literature. XII, 6848.
Wood, Ruth K. "The Creator of the First Yankee in Literature." Bookman, XLI, 152.
World Wide Encyclopaedia, 1876, VII, 3001, 3002.

D. OTHER WORKS CONSULTED

Acadian Magazine, July, 1826–June, 1827.
Acadian Recorder. Files, 1813–1866, Acadian Recorder Office, Halifax, N. S. Not all vols. available for examination.
Acadiensis, 1901–1908.
Acts of the General Assembly of the Province of Nova Scotia. 1828–1864.
Adam, G. Mercer. Outline History of Canadian Literature. 1887.
Aitkin, Sir Max. (Lord Beaverbrook.) Canada in Flanders, I. London, 1916.
Akins, T. B. Brief Account of King's College. Halifax, 1865.
—— History of Halifax. Halifax, 1895.
Albion, The New York. Files, 1834–1865, New York Public Library, and Acadia College Library.
Alexander, Sir James E. L'Acadie; or, Seven Years' Explorations in British America. 2 v., London, 1849.
—— Transatlantic Sketches. Phila. 1833.
Allison, David. History of Nova Scotia. 3v., Halifax, 1916.
Almanacs, Nova Scotian. Collection, Acadia College Library.
Anonymous. American Broad Grins, 2nd ed., 1839.
—— American Comic Annual. Edited by Finn. Boston, 1831.
—— American Jest Book, being a chaste collection of anecdotes for

the amusement of the young and old of both sexes. By the author of the American Chesterfield. Phila., 1833.
—— American Joe Miller. Phila., 1839.
—— American Wit and Humor. N. Y., 1859.
—— Barber's Shop, The. Kept by Sir David Razor. Salem, Mass., 1807 or 1808.
—— Captain Priest's Adventures.
—— Chaplet of Comus, The; or, Feast of Sentiment, and Festival of Wit. Boston, 183?.
—— Colonial Policy of Great Britain, The. By a British Traveller, London, 1835.
—— Courtships and Adventures of Jonathan Homebred; or, the scrapes and escapes of a live Yankee. By Sam Slick, Jr. N. Y., 1860.
—— Crockett's Comic Almanac for 1839. N. Y., 1838.
—— Feast of Wit, or Frolic of Laughter, containing the most admired anecdotes and songs. By Comus, the God of Laughter. Phila., 1821.
—— Finn's Comic Almanac; or, the United States Calendar for 1835.
—— Flowers of Wit; or, the Laughing Philosopher and Budget of Comicalities. Baltimore, 1832.
—— Funny Stories, or the American Jester, being a Companion for a Merry Good Fellow. N. Y., 1814.
—— Idiot, The; or, Invisible Rambler. By Samuel Simpleton. Boston, 1818.
—— Idle Hour Book, The; or, Scrapiana. 1848.
—— Report of Mr. Bull's Jury. Halifax, 1829.
—— Lady and the Dress-Maker, The; or, A Peep at Fashionable Folly. A story founded on circumstances that occurred some time since in this city. By a "Bluenose." Printed for the Author. [Halifax?] 1842.
—— Laugh and be Fat! or, Tom Gape, grin-master general: being a new collection of brillant jests . . . New York, 1824.
—— Merry Fellow's Companion, The; or, American Jest Book for 1796, 1797.
—— National Comic Almanac, The, 1836. N. Y., 1837.
—— Philadelphia Comic Almanac for 1835. Phila., 1834.
—— Turner's Comic Almanack for 1838, 1839. Phila. 1837, 1838.
—— Word in Season, A. To the Fishermen and Farmers of Nova Scotia. By a Mechanic. Pictou, 1836.

—— Yankee Miscellany, The; or, Boston Monthly Magazine. Boston, 1839.
—— Yankee Notions [Boston], 1852–1866.
Archibald, R. C. Carlyle's First Love. London, 1910.
Arfvedson, K. D. The United States and Canada, in 1832, 1833, and 1834. London, 1834.
Atley, J. B. Lord Haliburton, a memoir of his public services. London, 1909.
Avery, S. P. Laughing Gas. 1854.
—— Mrs. Partington's Carpet Bag of Fun. N. Y., 1854.

Barker, J. N. Tears and Smiles. Phila., 1808.
Barnett, Morris. Yankee Peddler; or, Old Times in Virginia. A Farce in One Act. 1841.
Barr, James (Editor). The Humour of America. London, 1894.
Bartlett, J. R. Dictionary of Americanisms. Boston, 1848.
Beach, L. Jonathan Postfree; or, The Honest Yankee. A Musical Farce. N. Y., 1807.
Belcher's Almanac, Halifax, 1827, and ff. yrs.
Blane, W. N. An Excursion through the United States and Canada during the years 1822–1823. By an English Gentleman. London, 1824.
Bliss, H. On Colonial Trade and Currency in the 30's. Pamphlet. Vol. II, Acadia College Library Collection.
Bouchette, Joseph. The British Dominions in North America. London, 1832.
Brackenridge, H. H. Modern Chivalry, Containing the Adventures of Captain John Farrago. Phila., 1792.
Bradshaw, F. Self-Government in Canada. London, 1903.
Brighton, J. C. Admiral of the Fleet Sir Provo W. P. Wallis: A Memoir. London, 1892.
Bromley, Walter. An Appeal to . . . the Inhabitants of Great Britain . . . on Behalf of the Indians of North America. Halifax, 1820.
Brown, G. S. Yarmouth, Nova Scotia. Boston, 1888.
Buckingham, J. S. Canada, Nova Scotia, New Brunswick . . . London, 1843.
Buller, C. G. Responsible Government for Colonies. London, 1840.
Burke, T. A. (Editor). Polly Pease-blossom's Wedding. Phila. [1851?]
Burnham, G. P. Gleanings from the Portfolio of the "Young Un." 1849.

Burton, W. E. Cyclopaedia of Wit and Humor. 2v. N. Y., 1858.
—— The Yankee among the Mermaids. Phila. [1843?]

Calkin, J. B. Geography and History of Nova Scotia. Halifax, 1877.
Cambridge History of American Literature. N. Y., 1917, 1918. I, II.
Cambridge Modern History. London, 1904. X.
Canada and Its Provinces. Toronto, 1914–17.
Carmichael-Smith, Robert. A Letter from Major Robert Carmichael-Smith to his friend, The author of "The Clockmaker . . ." London, 1849.
Carpenter, W. H. and Arthur, T. S. History of Connecticut. Phila. 1872.
Casgrain, L'Abbé H. R. Un Pèlerinage au pays d'Evangeline. Quebec, 1887.
—— Les Sulpiciens. . . en Acadie. Quebec, 1897.
Chalmers, George. An Introduction to the History of the Revolt of the American Colonies. 2v. Boston, 1845.
Chambers, William. Things As They Are in America. N. Y., 1854.
Chester, Leonard. Federalism Triumphant . . . 1802.
Chevalier, Michel. Society, Manners and Politics in the United States. Boston, 1839.
Chisholm, J. A. (Editor). Speeches and Public Letters of the Hon. Joseph Howe. 2v. Halifax, 1909.
Churchill, Charles. Memorials of Missionary Life in Nova Scotia. London, 1845.
Clark, L. G. Knick-Knacks. New York, 1853.
Clark, W. G. Ollapodiana; or, Literary Remains. N. Y., 1844.
Cobb, J. B. Mississippi Scenes; or, Sketches of Southern Life and Adventures. Phila., 1851.
Constellation, The. Files, New York Public Library.
Cooper, J. F. The Last of the Mohicans. Phila., 1826.
—— Notions of the Americans. Phila., 1828.
—— The Pioneers. 1823.
—— The Spy. 1821.
Cozans, P. J. (Editor). Sam Slick's Almanac. N. Y., 1857, 1858, 1859.
Cozzens, F. S. Acadia; or, a Month Among the Blue Noses. N. Y., 1859.
Crèvecoeur, M. G. St. J. de. Letters from an American Farmer. London, 1782.
Crockett, David. An Account of Col. Crockett's Tour to the North

and Down East . . . Written by Himself. 1837. Phila. and Balt., 1835.
—— Colonel Crockett's Exploits in Texas. Philadelphia, 1836.
—— Life of Van Buren. Philadelphia, 1835.
—— Narrative of the Life of Colonel David Crockett of West Tennessee. Philadelphia, 1834.
—— Sketches and Eccentricities of Colonel Crockett of West Tennessee. N. Y., 1833.

Dagnaud, Le Père P. M. Les Français du Sud-Ouest de la Nouvelle Ecosse. Besançon. 1905.
Davis, C. A. Letters of Jack Downing to his old friend, Mr. Dwight. N Y., 1834.
—— Letters of Jack Downing to his old friend, Mr. Dwight. N. Y., 1864.
De Mille, James. The B. O. W. C. A Book for Boys. Boston, 1870.
De Roos, J. F. F. Personal Narrative of Travels in the United States and Canada in 1826. London, 1827.
Dublin University Magazine, LIII–LV.
Duncan, J. M. Travels through Part of the United States and Canada in 1818 and 1819, 2v. Glasgow, 1823.
Dunlap, W. Yankee Chronology . . . N. Y., 1812.
Durivage, E. A. and Burnham, G. P. Stray Subjects Arrested and Bound Over. Phila., 1848.
Dwight, Theodore, Jr. The History of Connecticut from the first settlement to the present time. New York, 1842.
Dwight, Timothy. Travels in New England and New York [1796–1815.] New Haven, 1821–22.

Eaton, A. W. H. Chapters in the History of Halifax, Nova Scotia. Americana, X.
—— The Church of England in Nova Scotia and the Tory Clergy of the Revolution. N. Y., 1891.
—— History of King's County, Nova Scotia. Salem, Mass., 1910.
—— Rhode Island Settlers in Nova Scotia . . . Americana, X.
Evans, Estwick. A Pedestrian Tour . . . during Winter and Spring of 1818. Concord, 1819.

Fairbanks, C. R. [Ms.] Journal of a Visit and Residence in England in the year 1838. In the possession of Mrs. Harry Piers, Halifax, N. S.

Field, J. M. The Drama in Pokerville, by "Everpoint." Phila. [1843?]
Finn, H. J. [Editor]. The American Comic Annual. Boston, 1831.
Flint, Timothy. Recollections of the Last Ten Years. Boston, 1826.
Ford Collection of Manuscripts. New York Public Library. Haliburton items.
Ford, J. L. A Century of American Humor. Munsey's Magazine XXV, 473.
Frame, Elizabeth. Descriptive Sketches of Nova Scotia in Prose and Verse. By a Nova Scotian. 1864.
Fraser's Magazine, XXXIII, XXXV, XXXVI.

Gallenga, Antonio, pseud. for L. Mariott. Episodes of My Second Life. 1884.
Gesner, Abraham. Industrial Resources of Nova Scotia. Halifax, 1849.
Gilman, Caroline H. The Poetry of Travelling in the U.S. N. Y., 1839.
Goodrich, S. G. ["Peter Parley"]. A Chapter from an Unpublished Romance. 1841.
—— The Travels, Voyages, and Adventures of Gilbert Go-Ahead in Foreign Parts. N. Y., 1856.
Grant, G. M. "The Late Hon. Joseph Howe." The Canadian Monthly, May, 1875, and ff. nos.
Grant, W. L. The Tribune of Nova Scotia. Toronto, 1915.
Greene, Asa. A Glance at New York. N. Y., 1837.
—— The Life and Adventures of Doctor Doidimus Duckworth, A. N. Q. N. Y., 1833.
—— Travels in America. By George Fibbington, Esq. . . . ex-barber. N. Y., 1833.
—— A Yankee Among the Nullifiers; an Autobiography. N. Y., 1833.
Griswold, R. W. The Prose Writers of America. Phila., 1847.

Hackett, J. H. Jonathan in England.
Haliburton, R. G. Intercolonial Trade. . . Ottawa, 1868.
—— The Past and Future of Nova Scotia: an Address on the 113th Anniversary of the Settlement of the Capital of the Province. 1862.
Halifax Monthly Magazine, 1830–1832.
Hall, Bayard Rush. The New Purchase; or, Seven and a Half Years

in the Far West. By Robert Carleton, Esq., 1843. Princeton University Press, reprint, 1916.
Hall, Francis. Travels in Canada and the United States in 1816, 1817. London, 1818.
Hall, James. Harpe's Head: a Legend of Kentucky. Phila., 1833.
—— Legends of the West. Cincinnati, 1869.
—— Letters from the West. London, 1828.
—— Pencil Sketches; or, Outline of Character and Manners. 1838.
—— Tales of the Border. Philadelphia, 1835.
—— The Soldier's Bride; and Other Tales. Philadelphia, 1833.
—— The Wilderness and the War Path. N.Y., 1849.
—— Western Souvenir. 1829.
Halliburton, Sir Brenton. Observations upon . . . His Majesty's Council . . . Halifax, 1828.
—— Observations upon the British Colonial Possessions . . . 1825.
Hamilton, Thomas. Men and Manners in America. Phila., 1833.
Hammett, S. A. Piney Wood's Tavern; or, Sam Slick in Texas. Phila., 1858.
—— A Stray Yankee in Texas. 1853.
Hammond, M. O. Canadian Confederation and Its Leaders. N. Y., 1917.
Hansard's Parliamentary Debates, 1860–1865.
Hardy, Captain Campbell. Forest Life in Acadie. London,1869.
Harper, J. M. The History of the Maritime Provinces of Canada. Halifax, 1876.
Harris, C. W. Sut Lovengood's Yarns. New York, 1867.
Head, George. Forest Scenes and Incidents in the Wilds of North America. London, 1829.
Herbert, H. W. Sporting Scenes and Sundry Sketches.
Herbin, J. F. The History of Grand-Pré. Toronto, 1898.
Hill, G. W. Memoirs of Sir Brenton Halliburton. Halifax, 1864.
—— Nova-Scotia and Nova-Scotians: a Lecture. Halifax, 1858.
Hind, H. Y. History of King's College.
—— Old Parish Burying Ground. 1889.
Hingston, E. P. Josh Billings; His Book of Sayings. London, 1858.
Hodgson, Adam. Remarks during a Journey through North America in the years 1819 . . . 1821. New York, 1823.
Hoffman, C. F. Wild Scenes in the Forest and the Prairie. London, 1839.
—— A Winter in the West. N. Y., 1835.
Homer, J. A. A Brief Sketch of the Present State of Nova Scotia. . . . 1834.

Hooper, J. J. Some Adventures of Captain Sim on Suggs. Phila., 1845
—— Widow Rugby's Husband . . . Phila., 1851.
Hopkins, J. C. Canada: an Encyclopedia of the Country. Toronto, 1898.
Horn, James, Jr. Horn's Last: a budget of fun. Edited by the Inveterate. New York, 1851.
Howe, Joseph. Poems and Essays. Montreal, 1874.
Humphreys, David. The Yankee in England. n. d., n. p.
Humphreys, F. L. The Life and Times of David Humphreys, 2v. N. Y., 1917.

Inglis, John. A Journal of Visitation . . . by the Lord Bishop . . . in 1844. London, 1848.
—— Memoranda Respecting King's College . . . Files, Acadia and N. S. Legislative Libraries.
Ingraham, J. H. The American Lounger. Phila., 1839.
—— Nobody's Son; or, Adventures of Percival Maberry. Phila., 1854.
—— The South-West, by a Yankee. 2v. N. Y., 1835.
Irving, Washington. Knickerbocker's History of New York. 2v. N.Y., 1838.

James, Alexander. Report of Cases . . . Supreme Court of Nova Scotia, 1853–1855.
Janson, C. W. The Stranger in America. London, 1807.
Johnston, Alexander. Connecticut. (In American Commonwealth Series.) Boston, 1903.
Johnston, J. F. W. Notes on North America. Boston, 1851.
Jones, J. B. Life and Adventures of Colonel Gracchus Vanderbomb. Phila., 1852.
Jones, J. S. The Green Mountain Boy. Boston. n. d.
Journal and Proceedings of the Nova Scotia House of Assembly. 1807–1865.

King's College (Windsor, N. S.) Calendar. 1870.
—— Minutes of the Governors of. 1790–1815.
Keefer, T. C. A Sketch of the Rise and Progress of the Reciprocity Treaty . . . Toronto. 1863.
Kelley, Jonathan F. The Humors of Falconbridge. A Collection of Humorous and Every Day Scenes. 1856.
Kendall, G. W. Bill Dean, the Texas Ranger. 1848.
Kennedy, J. P. Memoirs of . . . William Wirt. Phila., 1854.

Kettell, Samuel. Quozziana; or, Letters from Great Goslington, Mass. By Sampson Short-and-Fat. Boston, 1842.
Kirkland, Mrs. C. M. S. A New Home — Who'll Follow? or, Glimpses of Western Life. N. Y., 1839.
—— Western Clearings. London, 1846.
Kittredge, G. L. The Old Farmer and His Almanac. Boston, 1904.

Lambert, John. Travels through Lower Canada and the United States. . . . London, 1810.
Larned, J. N. (Editor). The Literature of American History. Boston, 1902.
Latrobe, C. J. The Rambler in North America in 1832–33. London, 1835.
Leacock, Stephen. "American Humor." Nineteenth Century, LXXVI. 444–57.
Lieber, Francis. Letters to a Gentleman in Germany. Phila., 1834.
Lindsay, A. B. Love and Friendship; or, Yankee Notions. A comedy. 1809.
Locke, D. R. The Moral History of America's Life Struggle. Boston, 1872.
—— The Struggles, Social, Financial, and Political of Petroleum V. Nasby. Boston, 1872.
Logan, C. A. Yankee Land. Boston, n. d.
Longfellow, Samuel. Life of Henry Wadsworth Longfellow, with extracts from his Journals and Correspondence. Boston, 1876.
Longley, J. W. Joseph Howe. Makers of Canada Series. Toronto, 1906.
Longstreet, A. B. Georgia Scenes, Characters, Incidents, etc. . . . Augusta, Ga., 1835.
Longworth, Israel. "Honorable Judge Robie." Acadensis. April, 1901, and ff. nos.
—— Life of G. W. Archibald. Halifax, 1881.
Low, Samuel. The Politician Outwitted, a Comedy in Five Acts . . . 1788. By an American.
Lowell, J. R. The Biglow Papers. Riverside ed. Boston, 1890.
Lucas, Sir C. P. Lord Durham's Report on British North America, 3v. Oxford, 1912.
Lyell, Charles. Travels in North America. London, 1845.
Lynch, Peter. "Early Reminiscences of Halifax." Trans. N. S. Hist. Soc., XVI.

MacDonald, James. "Lieutanant Governor Francklin." Trans. N. S. Hist. Soc. XVI.
MacKenzie, E. An Historical, Topographical, and Descriptive View of the United States and Canada. Newcastle-upon-Tyne, 1919.
Mackenzie, W. L. Sketches of Canada and the United States. London, 1833.
MacMechan, Archibald. "Confederation in Nova Scotia." University Magazine, Dec., 1917.
—— "Halifax in Books." Acadensis, VI, 103 ff., 201ff.
—— "Nova Scotia." Canada and its Provinces, XIII, 379–403.
—— "Spring in Ultima Thule." The Nation, CVI, 344.
McClintock, J. W. Johnny Beedle's Courtship, Sleigh Ride, and Marriage. N. Y., 1841.
McConnell, J. J. Western Characters; or, Types of Border Life. N. Y., 1853.
McCulloch, Rev. Thomas. Mephibosheth Stepsure. Halifax, 1860.
McGregor, John. British North America. 2v. Edinburgh, 1832.
McTaggert, John. Three Years in Canada. 1826–28. London, 1829.
McVicar, W. M. A Short History of Annapolis Royal. Toronto, 1897.
March, Daniel. Yankee Land and the Yankee. 1840.
Marryat, Capt. Fred'k. A Diary in America. London, 1839.
Marsden, Joshua. The Narrative of a Mission to Nova Scotia . . . 1816.
Marshall, J. G. A brief History of . . . Nova Scotia during the earliest years of the present century, Halifax. n. d. [1878?]
—— Personal Narrative; with Reflections and Remarks. Halifax, 1866.
Martin, R. M. History of Nova Scotia . . . 1837.
Martin, R. M. and Campbell, Duncan. Canada.
Martineau, Harriet. Society in America. N. Y., 1837.
Matthews, Cornelius. The Motley Book of Tales and Sketches. By the late Ben Smith. N. Y., 1838.
Milner, W. C. Records of Chignecto. Halifax, 1906.
Minutes of His Majesty's Council. Records Office Halifax. Ms. 1826–1833.
Moorsoom, Capt. W. S. Letters from Nova Scotia. London, 1830.
Morley, M. W. Down North and Up Along. N. Y., 1900.
Morning Journal, The. Halifax. Files, Acadia College Library. 1854–57.
Morse, Rev. J. History of New England. 1808.

Munro, Alexander, New Brunswick . . . Nova Scotia, . . . 1855.
Murat, A. A Moral and Political Sketch of the United States of North America. London, 1833.
Murdoch, Beamish. History of Nova Scotia. 3v. Halifax, 1861–67.
Murray, Hugh. Historical Account of Discoveries and Travels in North America. London, 1839.
Murray, Walter C. "History of St. Matthew's Church, Halifax." Trans. N. S. Hist. Soc., XVI.

Neal, John. Authorship. A Tale. Boston, 1830.
—— Brother Jonathan. Edinburgh, 1825.
—— The Downeasters. 1833.
—— Errata . . . a Tale. 1823.
—— Rachel Dyer. Portland, 1828.
—— Randolph. [Baltimore.] 1823.
Neal, Joseph C. Charcoal Sketches; or, Scenes in a Metropolis. Second Series. Phila., 1849.
Neale, Erskine. The Life of . . . Edward Duke of Kent. 1850.
New England Galaxy, The. Files. 1827, 1828. Boston Public Library.
Nichol, John. American Literature. Edin., 1882.
Northall, W. K. Life and Recollections of Yankee Hill. N. Y., 1850.
Nova Scotia Historical Society, Trans. and Colls. of. 1878–1818.
Novascotian, The. Files, 1830–65. Acadia College Library and the Legislative Library, Halifax. Neither collection is complete, but each supplements the other.
Nyblom, C. R. (Editor). Amerikanska Humorister. Stockholm, 1883.

Oldham, Oliver. (Editor). The Humorous Speaker. N. Y., 1853.
Outram, Joseph. Nova Scotia; Its Conditions and Resources. London, 1850.

Page, Eldridge, G. Dow's Short Patent Sermons. First and Second Series.
Palmer, John. Journal of Travels in the United States and Canada in 1817. London, 1818.
Palsitts, V. H. "Review of J. G. Bourinot's Builders of Nova Scotia." American Historical Review, V, 801, 802.
Parkin, G. R. The Great Dominion, Studies of Canada. London, 1895.
—— Sir John A. MacDonald. Makers of Canada Series. Toronto, 1904.
Pattee, F. L. A History of American Literature, since 1870. N. Y. 1915.

Patterson, Rev. George. A History of the County of Pictou, Nova Scotia. Montreal, 1877.
Paul, Howard. Dashes of American Humor. N. Y., 1853.
Paulding, J. K. The Buck Tails; or, the Americans in England. 1815. In American Comedies. Phila., 1847.
—— The Diverting History of John Bull and Brother Jonathan. 1812.
—— John Bull in America. London, 1825.
—— Salmagundi. 1st Ser., 1807. 2nd Ser., 1820.
Pilgrim, James. Yankee Jack. 18??. Ms. play. N. Y. Public Library.
Poirier, Pascal. Le Père Lefebre et l'Acadie. Montreal, 1898.
Porter, W. T. (Editor) A Quarter Race in Kentucky. Phila., 1854.
Power, Tyrone. Impressions of America during 1833–35. Phila., 1836.
Pratt, Rev. Magee. "Berlin: A Study." Connecticut Magazine, VI, 167ff.
Public Archives of Canada. Ottawa. Joseph Howe Mss. Coll., and Haliburton newspaper clippings.

Quarterly Review, The. "Yankee Humour." Jan. 1867.
Quinn, A. H. A History of the American Drama, N. Y., 1923.
—— Representative American Plays. N. Y., 1915.

Rameau de Saint Père. La France aux Colonies. Paris, 1859.
—— Une Colonie féodale en Amérique. Paris, 1877.
Raumer, Prof. F. von. America and the American People. N. Y., 1846.
Raymond, Rev. W. O. "Pre-Loyalist Settlements of Nova Scotia." Trans. Royal Society of Canada, 1911, Sec. 11, 36, 37.
Reid, Stuart. Life and Letters of the first Earl of Durham. 2v. London, 1906.
Rich, O. A General View of the United States of America. London, 1833.
Richard, Eduard. Acadia, Missing Links of a Lost Chapter. 2v. N. Y. [1895]
Robb, J. S. Streaks of Squatter Life and Far Western Scenes. By "Solitaire." Phila. [1846]
Royal Gazette, The. (Nova Scotia) Files, 1813–1866. Acadia College Library. Incomplete
Royall, Anne. History, Life and Manners in the United States. New Haven, 1826.

Saunders, Rev. E. M. Life and Letters of Rt. Hon. Sir Charles Tupper. 2v. Toronto, 1916.
—— Three Premiers of Nova Scotia. Toronto, 1909.
Scudder, H. E. James Russell Lowell. A Biography. Boston, 1901.
Sealsfield, Charles. The United States . . . as They Are. London, 1828.
Sedgwick, C. M. Hope Leslie. N. Y., 1842.
—— A New England Tale. N. Y., 1822.
—— Redwood. London, 1824.
Seitz, Don C. Artemus Ward. N. Y., 1919.
Shaw, H. W. Josh Billings, His Book of Sayings, 1865.
Shelton, F. W. The Trollopiad; or, Travelling Gentlemen in America. A Satire. By Nil Admirari. N. Y., 1837.
Shiriff, Patrick. A Tour Through North America. Edinburgh, 1835.
Simms, W. G. Guy Rivers. N. Y., 1834.
Sleigh, Lieut. Col. B. W. A. Pine Forests and Hackmatack Clearings. London, 1853.
Smith, Seba. Jack Downing's Letters. Phila., 1845.
—— Life and Writings of Major Jack Downing . . . Boston, 1834.
—— My Thirty Years Out of the Senate. N. Y., 1859.
Smith, S. F. Sol Smith's Theatrical Apprenticeship . . . N. Y., 1868.
—— Theatrical Journey-Work. Phila., 1854.
Spedon, A. L. Rambles Among the Bluenoses . . . Montreal, 1862.
Spencer, A. J. Spencer's Book of Comic Speeches . . . N. Y., 1867.
Spirit of the Times, The (New York). Files. New York Public Library.
Stansbury, P. Pedestrian Tour . . . in 1821. N. Y., 1822.
Stewart's Quarterly. St. John, N. B. I–IV.

Talbot, E. A. Five Years' Residence in the Canadas. London, 1824.
"Tensas, Madison." Odd Leaves from the Journal of a Louisiana Swamp Doctor. Phila., 1846.
—— The Swamp Doctor's Adventures in the Southwest . . .
Thompson, A. P. "Josh Billings, or the Yankee Pedlar." New England Magazine, XIX, 696 ff.
Thompson, W. T. Major Jones Chronicles of Pineville, embracing Sketches of Georgia. Phila., 1843.
—— Major Jones's Courtship. Phila., 1840.
—— Major Jones's Sketches of Travel. Phila., 1848.
Thorpe, T. B. The Big Bear of Arkansaw. N. Y., 1835.
—— The Hive of the Bee Hunter. N. Y., 1854.

Times, The (Halifax). Files, 1835–46. Acadia College Library.
Titcomb, S. E. Early New England People. Boston, 1882.
Trollope, Mrs. F. M. The Domestic Manners of the Americans. 2v. London, 1832.
Tuckerman, H. T. America and Her Commentators. N. Y., 1864.
Tudor, William. Letters on the Eastern States. N. Y., 1820.
Tyler, Royall. The Contrast. Phila., 1790.

Valentine, Dr. W. The Favorite Delineator of Eccentric Characters. N. Y., 1849.
Vernon, C. W. Bicentenary Sketches. Halifax, 1910,

Walsh, W. S. Heroes and Heroines of Fiction. Phila. [1914.]
Warden, D. B. Statistical, Political and Historical Account of the United States of America. Edinburgh. 1819.
Watterson, Henry. (Editor) Oddities in Southern Life and Character. Boston, 1883.
Weld, Isaac. Travels Through the United States of North America in 1795–97. Toronto, 1799.
West, Florence. "Waterbury: Its Prominent Interests and People." Connecticut Magazine, VII, 133 ff.
Weston, Richard. A Visit to the United States and Canada in 1833. Edinburgh, 1836.
Wharton, G. M. New Orleans Sketch Book. By "Stahl." Phila., 1843.
Williams, Mrs. C. R. The Neutral French . . . Providence, 1841.
Willis, N. P. Canadian Scenery. Drawings by W. H. Bartlett. London, 1842.
Willson, Beckles. Nova Scotia. The Province That Has Been Passed By. London, 1911.
Wilson, C. H. The Wanderer in America. Thirsk. 1822.
Winsor, Justin. (Editor) Narrative and Critical History of America, V, VIII. Boston, 1884–89.
Winterbotham, Mrs. S. A. S. High Life in New York. 1854.
Winterbotham, W. An Historical, Geographical, Commercial and Philosophical View of the American United States in Four Volumes. N. Y., 1796.
Whicher, Mrs. F. M. B. Widow Bedott Papers. 1855, 1856.
Woodworth, Samuel. The Forest Rose; or, American Farmers. N. Y., 1825.
Wortley, Lady E. S. Travels in the United States . . . during 1849 and 1850. 3v. London, 1851.

Yankee and Boston Literary Gazette, The. Files. 1828–29. Boston Public Library.

Young, G. R. British North American Colonies. London, 1834.

—— Letters to the Right Honorable Lord Stanley . . . Halifax, 1842.

—— On Colonial Literature, Science, and Education . . . Halifax, 1842.

INDEX

Acadian, The, 120, 122
Acadian Magazine, The, 120
Acadian Recorder, The, 276, 278, 280, 566, 569
Account of Col. Crockett's Tour to the North and Down East, An, 375
Account of Col. David Crockett Written by Himself, An, 375
Adderley, Hon. C. B., 610
Address on the Present Condition, Resources and Prospects of British North America, 578–584
" Agricola," 169
Aiken, Sir Max, 357
Alcott, Bronson, 331
Americanisms, Bartlett's, 540
American Turf Register, The, 538
Americans at Home, The, 536–543
Anderson, J. P., 58
Andrews, Israel D., 347, 348
Archibald, S. G. W., 50, 346
" Artemus Ward," 358, 359, 643, 644
Ashburton, Lord, 582
Attaché, The, first and second series, 436–480

Bagot, Sir Charles, 449
Barham, R. H., 222
Barker, J. N., 361
Barnett, Morris, 363
Belcher, C. H., 69
Bentley, Richard, 56, 201–204, 241, 364, 447
Bentley's Miscellany, 203, 204, 350, 472
Bibliotheca Canadensis, 56, 58
Big Bear of Arkansas, The, 537
Biglow Papers, The, 537
Bismarck, 355
Blackwood's Magazine, 121, 436, 451,
Blowers, Chief Justice, 22
Bourinot, Sir J. G., 141, 142
Bromley, Walter, 58–60, 68, 69
Brougham, Henry, Lord, 239, 243, 245, 250
Bubbles of Canada, The, 236–255
Buck Tails, The, 361
Burke, T. A., 538
Burnham, G. P., 537
Burton, W. E., 537

Campbell, Sir Colin, 215, 216, 289, 385
Campbell, Thomas, 446
Carlyle, Thomas, 352
Carmichael-Smyth, Major Robert, 218
Chambers, William, 223
Chandler, Col. Joshua, 13, 14
Charcoal Sketches, 538
Charles II, 515
Chasles, Philarète, 356
Chipman, Judge J. I., 130
Cist, Lewis I., 342
Clinch, Henry, 119
Clockmaker, The, first series, 179–212; second series, 213–235; third series, 308–325
Cochran, Rev. Dr. William, 24, 25, 28
Collins, Hon. Enoch, 161, 162
Colman, George, 363
Connolly, Rev. H. L., 137
Contrast, The, 360
Cooper, J. F., 365, 447
Courtship and Adventures of Jonathan Homebred, The, 383
Crawley, W. H., 142

Crockett, David, 375–377, 537
Croke, Sir Alexander, 22
Curtis, G. W., 349

Dalhousie, Earl of, 169
Davis, C. A., 370, 372, 374
Davis, Susanna (Francklin), 15
Delta, The (New Orleans), 539
Desbarres, Judge W. F., 493
Dickens, Charles, 352, 447
Diverting History of John Bull and Brother Jonathan, 366
Downeasters, The, 366
Drama in Pokerville, The, 537
Dublin University Magazine, 586
Dunlop, William, 361
Durham, Lord, 216, 220, 237–241, 243–249, 256, 263–273, 449, 464, 467, 468, 486, 502, 515, 516, 524, 557, 583
Durivage, F. A., 537
Dwight, Timothy, 327, 331

East Alabamian, The, 539
Edwards, Major, 634
Elgin, Lord, 388, 554
Ellis, Edward, 6, 7
English in America, The, see *Rule and Misrule of the English in America.*
Evangeline, 137
Everett, Edward, 449

Fairbanks, C. R., 79, 85, 218, 221, 242, 364
Falkland, Lord, 385–387, 414, 417, 418, 480, 484, 511, 512
Felton, C. C., 349, 449, 475, 476, 604, 605
Field, J. M., 537
Figg, Naomi, 4
Flint, Timothy, 365
Forest Life, 538
Forest Rose, The, 362
Fox, Lt.-Col. C. R., 201, 414
Francklin, Hon. Michael, 15
Fraser's Magazine, 481

General Description of Nova Scotia, A, 56–71
Georgia Scenes, 537

Gladstone, Rt. Hon. W. E., 614–633
Goldsmith, Henry, 61
Goldsmith, Oliver, 61, 119
Grant, James, 241
Grant, Lucy Chandler, 13, 14
Greene, Asa, 366
Green Mountain Boy, The, 363
Grey, Lord, 238, 388

Hackett, J. H., 363
Haliburton, Andrew, 3–6
Haliburton, Georgina, 8, 242, 443
Haliburton, R. G., 575
Haliburton, Thomas Chandler, ancestry, 3–15; birth, 13; political heritage, 15, 16; place of birth, 17, 18; Windsor in his youth, 18–21; at Collegiate School, 22, 25; at King's College, 25–34; scholarship record, 33, 34; inspects *Chesapeake,* 34–37; first visit to England, 38; displays Yankee characteristics *en route,* 38–40; second visit to England, marries Louisa Neville, 41, 42; at Annapolis Royal, 42–55; correspondence with Peleg Wiswall, 45–52; prophesies reunion of British American colonies with United States, 51; on immigration to Nova Scotia, 51, 52; *A General Description of Nova Scotia,* proof of his authorship of, 56–71; in the Nova Scotian House of Assembly, 72–118; his belligerent attitude there, 72, 73; developing Toryism, 76, 77; opposes colonial agents in England, 78; speech on Custom House salaries, 79–84; levity, 84; supports repeal of Test Act, 87–92; oratory, appearance, 92, 93; opposes relief of debtors, 94; ridicules militia system, 95; defies influential Haligonians, 95; sponsors bill enacting voluntary school tax

assessments, 96–104; attacks Council of Twelve, 99–103; censured by Speaker, apologizes, 103; speech on quit rents, 104, 105; supports Pictou Academy Bill, 105–115; attacks Bishop Inglis, 108–112; opposes vice-regal expenditures, 113, 114; urges reform of Governor's Council, 115–117; receives official vote of thanks for History, 118; *An Historical and Statistical Account of Nova Scotia,* 119–145; correspondence with Peleg Wiswall during compilation of, 126–135; appointed Judge of Probate, 132; views on expulsion of Acadians, 138, 139; suggests an elective council, 140; elected corresponding member Mass. Hist. Soc., 145; appointed Judge of Common Pleas, 146; complete acceptance of Toryism, 152; Inferior Court duties, 152; removes from Annapolis Royal to Windsor, 154; reputation as Inferior Court judge, 153, 154; builds "Clifton," 155–157; maintains social exclusiveness there, 157, 158; business and civic interests, 158–160; contributes "Recollections" to *Novascotian,* 178; *The Clockmaker,* first series, 179–212; avows its purpose, 179, 180; diagnoses Nova Scotia's political and social ills, 186–194; prescribes energetic farming and railroads, 190–195; comments on conditions in United States, 195–197; wins literary reputation abroad, 206, 207; attacked by "Julian" at home, 207–211; *The Clockmaker,* second series, 213–235; third visit to England, accompanied by Joseph Howe, 218–222; shares in securing colonial steamship connection with Great Britain, 219, 220; cordially received abroad, 222, 223; opposed to American and colonial democracy, 224, 225; opposed to extremes of either radicalism or Toryism, 226, 227; his own Toryism, 227; reverses previous stand on elective councils, 227, 228; growing antagonism to Howe, 228; points out value of British America to Great Britain, 229; states that Imperial control is cause of colonial unrest, 229, 230; proposes Colonial Council-board, suggests himself for colonial governorship, 230; criticized abroad for prejudice and unfairness, praised for his powers of caricature, 231, 232; criticized at home for reactionary politics, 233–235; left by Howe in England, 236, 237; *The Bubbles of Canada,* 241–254; charged with deceiving reading public, 241, 242; his real culpability, 242; censures Lord Durham, 244, 245, 247, 248; analyses cause of French-Canadian unrest, 246, 247; opposes colonial confederation, 248, 249, ridicules idea of colonial representation in Imperial parliament, 249, 250; again opposes elective councils, 251, 252; opposes theory of responsible government, 252; political and personal reasons for onslaught on Durham's *Report,* 261, 262, 268; *A Reply to the Report of the Earl of Durham,* 263–273; unfairness and ill-temper of *Reply,* 263, 264; again opposes colonial confederation, 266; again opposes responsible government, 268, 269; attributes armed outbreaks in Canada to Durham's influence, 270; combined audacity and syco-

phancy, 272, 273; castigated by "Also a Colonist," "Peter Pindar," and others, 276–280, 284, 285; banqueted as historian of Nova Scotia, 280–285; his response to toasts, 282, 283; beginning of general unpopularity in Nova Scotia, 285, 286; *The Letter-Bag of the Great Western,* 291–306; his punning, 292; unfortunate effect of vulgar innuendoes, 295–297; parody of Durham's *Report,* 297–299; again opposes responsible government, 300, 301; deprecates political agitation, fears colonial independence, 301, 303; lauds British control of colonies, 302; advocates intercolonial railway, 303, 304; requests colonial appointments for colonials, 304–306; *The Clockmaker,* third series, 306–325; appeals direct to Colonial Office against responsible government, 306; "The Duke of Kent's Lodge," 308–311; points out value of colonies to Great Britain, 311, 312; declares colonial unrest caused by self-interested agitators, 312, 313; classifies colonial "patriots," 313, 314; and colonial Tories, 314, 315; offers advice to Colonial Office, 315–317; declares need of established church in colonies, 317; again requests colonial patronage for colonials, 318–321; details of third visit to England, 321, 322, 442–446; disparagement of and disagreement with Howe, 323–325; jocularly admits identity with "Sam Slick," 342, 343; typical Slickian opinions, 343–345; correctness of terming him "the father of American humor" questioned, 358–384; indebtedness to the "Jack Downing" letters, 371–374; relations with Joseph Howe, 385–413; compared with Howe, 390–393; offers friendly advice to Howe, 393, 394; letter revealing bitter quarrel with Howe, 395, 396; solicits Howe's assistance in obtaining judicial appointment, 397–399; further letters revealing quarrel with Howe, 399–409; reconciled with Howe, 409–413; antagonizes provincial Catholics, 413, 433, 434, 523; relations with Lord Falkland, 414; Supreme Court judge, 414–435; accepts appointments as, 415; duties, 416; reaction of public to appointment, 416–418; reputation as Supreme Court judge, 418–421, 427, 430, 431; judicial decisions, 421–427; unconventional conduct on Bench, 428–430; impressive manner in pronouncing sentence, 431, 432; his fearlessness, 433, 434; prevailing melancholy, 434, 435; death of his first wife; 435; *The Attaché,* first and second series, 436–480; fourth and fifth visits to England, 436, 437; beginning of decline of literary powers, 438–442; various aversions and preferences, 446–450; characteristic inconsistencies, 448–450, 459, 460; love of England and of English institutions, 451–454; fears effects of English radicalism, 453, 454; comments on English political partisans, 454–458; contradictory opinions of British colonial control, 459, 460; again urges colonial patronage for colonials, 460, 461; suggests colonial representatives in Imperial parliament, 461, 462; criticizes Colonial Office, 462, 463; again proposes Colonial Council-board, 463; again opposes responsible government,

463–468; renews attack on Durham, 464, 468; comments on slavery in United States, 468, 469; excessive sentimentality, 470, 471, evidences of waning popularity in England, 471–475; criticized by C. C. Felton, 475, 476; *Attaché* suppressed in *Novascotian*, 476–480; *The Old Judge*, 481–505; denies further interest in politics, 482, 483; contrasts conduct of Lords Falkland and Durham, 484, 486; comments on Nova Scotian political parties, 484, 485; narrative and descriptive skill, 488–491; resents presumption of provincial democracy, 493–498; directs attention to his services in behalf of colonials, 498, 499; advocates general assessment for public schools, 499, 500; regrets effect of immigrant labor, 500, 501; again urges colonial patronage for colonials, 501, 502; opposition to colonial confederation weakens, 502, 503; traces evolution and criticizes working of responsible government, 503–505; literary activities, 1851–1855, 506; *Rule and Misrule of the English in America*, 506–532; plagiarisms from Richard Hildreth, 509–511; dedicates book to Lord Falkland, 511, 512; mingled toleration and contempt for New England Puritans, 512–515; deplores effect of conciliating colonial democracy, 515, 516; attacks Whig colonial policy, 517, 518; admires American revolutionary leaders and their constitutional labors, 518, 519; praises American judiciary, 519, 520; doubts success of democracy outside of United States, 520; fears Catholic influence in United States, 521–523; deplores effects of democracy in French-Canada, 523, 524; suggests remedial changes in French-Canadian constitution, 525, 526; on prospects of democracy in Great Britain, 526–528; eulogizes British monarchy, 528, 529; on prospects of democracy in France, 529–531; *Traits of American Humour*, and *The Americans at Home*, 532–543; interest in "tall" tales, 534–539; plagiarisms in Preface to *Traits*, 539, 540; *Wise Saws and Modern Instances*, 544–555; loss of authority as political oracle, 544, 547; evidence of further decline in literary powers, 545, 546; skill in delineation of local life and customs, 546, 547; calls attention to value of Nova Scotia's coastal fisheries, 547, 548; continues opposition to political agitation, 548, 549; advocates Imperial trade preferences, 549, 550; sixth visit to England, 551; charged with defaming Nova Scotia abroad, 550, 551; urges *entente cordiale* between United States and Great Britain, 551, 552; decries effects of Reciprocity Treaty of 1854, 554, 555; *Nature and Human Nature*, 555–564; tentatively advocates colonial confederation, 557; on Liberals *vs.* Conservatives, 557–561; on threat of civil war in United States, 559–561; on the Oxford Movement, 561, 562; valedictory to "Clifton," 563, 564; humiliation attendant upon retirement from Bench, 565–569; litigation over retiring allowance, 569–572; sued for debt of partner, 573, 574; removes to England, 574; marries Mrs. Sarah H. Williams, 574, 575; resides at Gordon House, 575; regards himself as

spokesman for colonies, 576, 577; public addresses in England, 577–585; Glasgow *Address*, 578–584; warns auditors against loss of colonies, 580; on disadvantages of colonial status, 581–584; deplores withdrawal of Imperial aid for intercolonial railway, 583; suggests colonial confederation, 584; receives honorary D. C. L. from Oxford, 585; completely accepts confederation proposal, 585, 586; lectures on civil war conditions in United States, 586; *The Season Ticket*, 587–602; argues for intra-Empire rapid transit, 588–592; comments on Irish situation, 592–594; on future of Australasia and India, 594, 595; on future of British America, 595, 596; advocates colonial autonomy, 596; again attacks colonial policy of Whigs, 597; again proposes Colonial Council-board and colonial representatives in Imperial parliament, 597, 598; warns against hostile designs of Napoleon III, 598–600; member of parliament, 602–641; unsuited for parliamentary duties, 603–607, 608–610; unfortunate results from his undertaking to speak for colonies in parliament, 607–609; speech on colonial defense, 611–613; clash with Gladstone over Timber Duties Bill, 614–632; *Speech on Repeal of the Differential Duties on Foreign and Colonial Wood*, 617–624; threatens colonial independence, 622, 623; bitterness over Imperial treatment of colonies, 623, 624; criticized by American and colonial newspapers, 625, 629; slighting opinion of American democracy, 629, 630; uncomplimentary reference to Gladstone, 630; called to order by Speaker, 631; ridiculed by Bernal Osborne, 633, 634; defended by Major Edwards, 634; complains of war-time acts of American government, 635–637; deplores Nova Scotia's attitude towards colonial confederation, 638, 639; defends operation of responsible government, 640, 641; death, 641; funeral, burial-place, 642; erroneous statements respecting his life and works, 643, 650; two-fold personality, 645–650; epitome and final appraisal of his achievement, 650–654
Haliburton, William, 7–10
Haliburton, W. H. O., 10–13
Halifax Monthly Magazine, 120
Halifax Pearl, 120
Halliburton, Sir Brenton, 49, 140, 415
Hammett, S. A., 382
Harvey, Sir John, 289, 387, 503
Hawes, W. P., 537
Hawthorne, Nathaniel, 137
Head, Sir F. B., 234, 243
Herbert, Hon. Sidney, 610
Hersey, Rachel, 6
High Life in New York, 296, 297, 382
Hildreth, Richard, 509, 510
Hill, G. H., 363, 537
Historical and Statistical Account of Nova Scotia, An, 119–145
History of England (Smollett's), 141, 142
History of New York, A ("Knickerbocker's"), 366
Hook, Theodore, 222
Hooper, J. J., 537
Howe, Joseph, 88, 120–122, 143, 144, 175–178, 185, 189, 193, 200, 202, 207, 211, 213–221, 228, 236, 237, 261, 288, 323–325, 380, 385–413, 448, 449, 499, 503, 555, 565–570, 641

Hume, Joseph, 239, 449
Humphreys, Gen. David, 362
Huskisson, Hon. Wm., 75, 171

Inglis, Bishop Charles, 21
Inglis, Bishop John, 107–109, 112, 159, 160
Irving, Washington, 145, 366, 447

Jack Downing's Letters, 372
James II, 516
Jefferson, Joseph, 361
Joe Miller, 381
Johnny Beedle's Sleigh Ride, Courtship and Marriage, 537
Johnson, Dr. Samuel, 447
Johnstone, Hon. J. W., 394, 408
Jonathan in England, 363
Jonathan Postfree, or the Honest Yankee, 361
Jones, J. S., 363
" Josh Billings," 360

Kempt, Sir James, 50, 126
Kent, Edward Duke of, 308, 311
Kettle, Samuel, 537
Kirkland, Mrs. C. M., 538

Landor, W. S., 352, 353
Lawson, William, 85
Letter Bag of the Great Western, The, 287–307
Letters of J. Downing, Major, Downingville Militia, etc., 370
Letters of Mephibosheth Stepsure, 378
Life and Recollections of Yankee Hill, 537
Life and Writings of Major Jack Downing, etc., 367, 544
Lindsay, A. B., 361
Logan, C. A., 363
Longfellow, H. W., 137
Longstreet, Judge A. B., 537
Love and Friendship, 361
Lowell, J. R., 349, 537, 540

" Madison Tensas," 537
Major Jones's Courtship, 537
" Mark Twain," 359, 360
Marshall, Judge J. G., 111, 131, 416, 417
McAvity, Mr., 614–616, 620, 621, 624
McClintock, W. J., 537, 538
McCulloch, Rev. Dr. Thomas, 106, 112, 115, 378
Melbourne, Lord, 238
Metcalfe, Lord, 503, 512
Mille, A. B. de, 58, 59
Milton, 446
Molesworth, William, 239
Montégut, Emile, 355
Moore, Thomas, 22
Morgan, H. J., 56, 58
Morris, Hon. Charles, 143
Murdoch, Beamish, 88, 92–94

Nature and Human Nature, 553–564
Neal, John, 365
Neutral French, The, 137
Neville, Louisa, 41, 42
Nichols, G. K., 454
Northumberland, Duke of, 602, 604
Novascotian, The, 87, 88, 101, 102, 119–121, 175, 177, 189, 233, 567

O'Connell, Daniel, 220, 449
Odd Leaves from the Note Book a Louisiana Swamp Doctor, 537,
Old Judge, The, 481–505
Osborne, Bernal, 633, 634
Otis, Abigail, 5
Otis, Susanna, 6

Parker, Judge Robert, 23, 202, 204
Paulding, J. K., 361, 364
Peel, Sir Robert, 443, 447, 449, 549
Picayune, The (New Orleans), 539
Piney Woods Tavern; or, Sam Slick in Texas, 382
Polly Pease-blossom's Wedding, 538
Poor Richard's Almanac, 339

Porter, Asa, 47
Porter, Rev. Dr. Charles, 24, 28
Porter, W. T., 538
Portraits of the Sixties, 351, 352
Prescott, Mrs. Harriet, 6

Quarter Race in Kentucky, The, 538

Reply to the Report of the Earl of Durham, 263–273
Report on the Affairs of British North America, 237, 254–262, 273, 276, 287, 297–299, 312, 316, 391
Reveille, The (St. Louis), 539
" Rising Village, The," 62, 119
Ritchie, Judge Thomas, 46–48
Roach, William, 48, 72
Robb, J. S., 537
Roberts, C. G. D., 488
Robie, S. B., 50
Robinson, J., 361
Roebuck, J. A., 239, 250
Rule and Misrule of the English in America, 506–532
Russell, Lord John, 287, 288, 304, 305, 315, 349, 386, 443, 449, 464, 494
Ryerson, Stephen, 346, 347, 491, 492

Salmagundi, 366
Saturday Gazette, The (Philadelphia), 539
Savary, Judge A. W., 138, 420
Scott, Sir Walter, 4, 356
Scottish American Journal, The, 585
Season Ticket, The, 586–602
Sedgwick, Catherine, 365
Segogne, Abbé Jean-Mandé, 52–55, 62, 91
Shakespeare, 446
Silsbee, J. S., 362
Simple Cobbler of Agawam, The, 359
Simpson, Alexander, 362
Sketch Book, The, 366, 447
Sketches and Eccentricities of Col. David Crockett, 375–377
Smith, Seba, 368–370, 372, 373, 380, 534, 540
Smith, Sydney, 469
" Sol Smith," 537
Songster, J. L., 573
Southern Miscellany, The, 539
Spirit of the Times, The, 538, 539
Spy, The, 365
Stanley, Lord, 449
Stephens, Mrs. A. S. W., 297, 382
Stewart, J. A., 84, 86, 92, 105, 107, 115, 175
Stewart, Judge J. J., 50, 149
Stray Subjects Arrested and Bound Over, 537
Streaks of Squatter Life, 537
Sydenham, Lord, 287, 289, 449, 464, 467, 468, 504

Tears and Smiles 361,
Theatrical Journey Book, The, 537
Thompson, Poulett, see Sydenham
Thompson, W. T., 537
Thorpe, T. B., 537
Traits of American Humour, 536–543
Travels in America, etc., 366
Trollope, Mrs., 366
Tyler, Royall, 360

Uniacke, Rev. G. F., 50
Uniacke, R. J. Jr., 87, 90
Uniacke, R. J. Sr., 149

Vancouver, Captain George, 647
Victoria, Her Majesty Queen, 308, 311, 446, 643

Ward, Edmund, 69
Ward, Nathaniel, 359
Week at the Fire Islands, A, 537
Weeks, Mr. and Mrs., 443
Wentworth, Sir John, 22
Western Clearings, 538
Whitcher, Mrs. F. M. B., 537
Who Wants a Guinea?, 363
Widow Bedott Papers, The, 537

Widow Rugby's Husband, 537
Wilkins, Hon. L. M., 28, 568
Williams, Mrs. C. R., 137
Williams, Mrs. Sarah H., 575
Willis, N. P., 449
Wise Saws and Modern Instances, 544–553
Wiswall, Judge Peleg, 44–52, 60, 61, 70, 125–134, 346, 362

Yankee Among the Mermaids, A, 537
Yankee Among the Nullifiers, A, 366
Yankee Blade, The (Boston), 539
Yankee Chronology; or, Huzza for the Constitution, 361
Yankee Land, 363
Yankee Notions, 537
Yankee Peddler, The, 363
Yorker's Stratagem, or Banana's Wedding, The, 361

This book may be kept
FOURTEEN DAYS
A fine of 2 cents will be charged for each day
the book is kept overtime.

Jul 19 '34 S			
Mar 4 '35 P			
Mar 9 '36 W			
Mar 15 '37 S			
JAN -4 '71			
~~OCT 16 '71~~			
~~JUN 27 '72~~			

B
H172c
Jul 7 '32
Jul21'32 R